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of Ontario**

First Session, 36th Parliament

**Assemblée législative  
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Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Tuesday 14 November 1995

**Journal  
des débats  
(Hansard)**

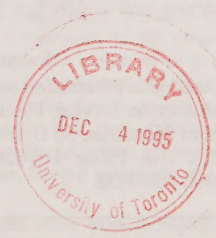
Mardi 14 novembre 1995

**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Organization

Organisation



Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
Greffière : Lynn Mellor





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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Tuesday 14 November 1995

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mardi 14 November 1995

*The committee met at 1532 in room 151.*

## ELECTION OF CHAIR

**Clerk of the Committee (Ms Lynn Mellor):** Honourable members, it's my duty to call upon you to elect a Chair. I'm open to nominations.

**Mr John Gerretsen (Kingston and The Islands):** I would like to nominate Richard Patten as Chair of the committee.

**Clerk of the Committee:** Are there any further nominations? Then, Mr Patten, I declare the nominations closed and you as Chair.

**The Chair (Mr Richard Patten):** Thank you very much, Madam Clerk. Ladies and gentlemen, that was a tough election.

**Mr Michael Gravelle (Port Arthur):** It was tense.

**The Chair:** It was almost as tough as the last election.

## ELECTION OF VICE-CHAIR

**The Chair:** We have a short order of business. The next order of business is the election of the Vice-Chair, so I would call for a motion for the election of Vice-Chair.

**Mr Gravelle:** I would like to nominate John Gerretsen as Vice-Chair.

**The Chair:** Mr John Gerretsen as Vice-Chair is proposed. Are there any other nominations? There being no other nominations, I declare Mr John Gerretsen as Vice-Chair of the committee. Congratulations, John.

**Mr Gerretsen:** Thank you.

## APPOINTMENT OF SUBCOMMITTEE

**The Chair:** Now I call for a motion which is for the appointment of the subcommittee, which performs the business of the committee itself. Would anyone like to make that motion?

**Mrs Julia Munro (Durham-York):** I move that a subcommittee on committee business be appointed to meet from time to time at the call of the Chair or at the request of any member thereof to consider and report to the committee on the business of the committee; that substitution be permitted on the subcommittee; that the presence of all members of the subcommittee be necessary to constitute a quorum; that the subcommittee be composed of the following members: Mr Patten as Chair, Mrs Ecker, Mr Gravelle and Mr Wildman; and that any subcommittee member may designate a substitute member on the subcommittee who is of the same recognized party and a member of the committee.

**The Chair:** Could I have a show of hands in support of the motion? In favour? Great, unanimously agreed. Thank you.

**Mr Dominic Agostino (Hamilton East):** We're going to get along really well in here.

## ORIENTATION

**The Chair:** We have a couple of functions this afternoon that we can take advantage of. We have no government business, I gather, but we do have an opportunity to do a brief orientation, an opportunity for new members especially perhaps—when I say “new members,” I mean new to the Legislature—and more experienced members; we'd like to share their wisdom and they may have questions themselves.

But I thought that before we did that, given that we will have to work well together and I would expect we will have some interesting and exciting times ahead of us, we get to know each other a little bit more. So other than the official background that is stated on each one of us, I thought we might take a brief one minute per member to go around and share with the other members of the committee a little bit of our background and what we might want to comment on in being a new member of the social development committee. Perhaps I could start with my colleague Mr Gravelle.

**Mr Gravelle:** I'm certainly very pleased to be a member of the social development committee. In terms of my background, I've certainly got some involvement in politics in my past. I began very much as a young man, actually, working for a federal member of Parliament who also was a minister in Thunder Bay. At that time I learned a number of things from him that I think are most important in terms of being in the position all of us are in as elected members of the Legislature, which is that I think we certainly are here to represent all the people. I feel very, very strongly that there are a number of people in our society who need to be considered when we're making decisions that affect all the people in our province. I have felt strongly since that time that this is something that should never be forgotten. Probably I believe it more now than ever, having now been elected to the Legislature myself.

My background also includes some work in broadcasting with the Canadian Broadcasting Corp and some work with the Ministry of Northern Development and Mines. I hope I can put to use some of the experience I've had to be an effective member of this committee. I look forward to working with all of you and getting to know you all much better.



**Mr Gerretsen:** My background is that I'm a lawyer, but don't hold that against me. I was involved in our local council in the city of Kingston for 16 years, having served the last eight years as mayor. In 1988 I decided to get out of politics and decided never to get back into it, but obviously I changed my mind somewhere along the line.

Certainly social issues have always interested me, probably more so than any other issues at the municipal level. I look forward to trying to make some sort of contribution at the provincial level.

**Mr Agostino:** I'm pleased to be part of this committee. I think it's very exciting. I think the responsibilities we're going to have are going to be quite important to this Legislature and to the people of Ontario.

For my background, my professional background is in social work. I spent some time working for the Ontario March of Dimes and the Elizabeth Fry Society. In Hamilton I have served about 15 years now in local government, seven as a school trustee and eight as a city alderman and regional councillor and the last five as chairman of the health and social services committee for Hamilton-Wentworth. So I certainly enjoy the field.

I think the area of social policy is going to be extremely important to where we're going in this province in the next few years. I look forward to the work this committee's going to do, and though we may have differences across the floor with our colleagues of the other parties, I think it's always important to work together for the best interests of the people of Ontario and to always leave those differences in the room. We have to remember that we have a bigger responsibility than our party and our responsibilities as members.

1540

**Mr Floyd Laughren (Nickel Belt):** I can hardly wait to see Dominic deliver on that one. I must say that my background, for those who don't know me, is one of retail management and then teaching at a community college, but most of my life in this place.

Without being condescending, I hope, I always felt that the committee system—I think I said this at the orientation session here, and I really meant it—is what allowed me to develop more as an MPP than anything else in this place. I'm a partisan MPP, but I'm a huge fan of the committee system. It can work, even though it can be partisan. I chaired a committee that was very partisan, the resources development committee, and dealt with labour and WCB issues and so on, rent control, but we made it work. It's not easy. And I expect everybody to be partisan. I think that's one reason we're here.

Anyway, I'm looking forward to working on this committee and with my colleague who in his absence we elected as a member of the subcommittee.

**The Chair:** Thank you. Mr Wildman.

**Mrs Janet Ecker (Durham West):** He's obviously brought his designate.

**Mr Bud Wildman (Algoma):** My name is Wildman, as you know, and I've never been partisan. I would, frankly, agree with Floyd. For those of you who may not know, I was an educator. I taught at secondary level for

eight years and I've served in this place in one role or another for 20 years, and what I found, particularly in the first couple of terms as an MPP, was that my work in committee I found the most rewarding and fulfilling and most helpful in assisting me as an MPP to learn more about how the government worked and how the funds were allocated and spent. I think committees can be very effective when they are aimed at dealing with specifics rather than simply going on fishing expeditions, as some are wont to do.

I look forward to working on the committee, and if I'm a member of the subcommittee, I would say that what I found over the years is that the most effective committees are ones that have effective subcommittees, that where representatives of each party on the committee, along with the Chair, can set down and agree to an agenda that is acceptable to all three parties, if that's possible, then you have an effective committee. I've been on committees where that was possible and I've also been on committees where it wasn't, and the ones where it wasn't didn't work very well, for anyone's benefit, frankly, for the government or the opposition.

Just to explain my colleague here, for those of you who may or may not be interested in whether or not I've reverted to my childhood, I am part of what is called the Canadian Diabetes Association's celebrity diabetes challenge, where we have to carry this bear around with us to represent diabetes for a week and pretend that we are a person with diabetes for a week and we have to follow the diet and the regimen of meals and so on just to learn what it's like to be a person with diabetes.

I must say that in the first three days, I'm finding it terrible—not the diet; it's fine, but just—well, what I found is that a person with diabetes obviously schedules his or her activities and work around his or her meals, whereas most of us, I suspect, and certainly I tend to eat whenever I can around my work schedule. That doesn't work out for a person with diabetes. So I'm learning a great deal during the week and getting to like my colleague a great deal as well.

**Mr Bruce Smith (Middlesex):** It's certainly a privilege and I look forward to the opportunity of being a part and contributing to this committee. I guess by way of background, mine is one of predominantly being involved in land use planning as a planner in community development, so this is a little bit of a new twist for me, but I'm sure a lot of the similar issues will crop up in the business we are involved with.

I look forward to the advice Mr Laughren and Mr Wildman have given us in terms of this being a growth opportunity. As a new MPP to the Legislature, it's my first opportunity in an elected capacity. I'm perhaps more comfortable at this point in time serving in an administrative role or professional capacity, so I look forward to the change in direction and working with everyone in the committee.

**Mr Trevor Pettit (Hamilton Mountain):** My background is in sales management, specifically architectural woodwork. I was involved in the design and sales of both church and courtroom furniture throughout North America. I have extensive experience in coaching minor



sports, both baseball and hockey, and I've been involved with various local fund-raising groups. As the father of two young daughters, I have a tremendous interest, naturally, in social development, so I very much look forward to working with each and every one of you on this committee, and in particular with the veterans. I think there'll be a lot to learn from the veterans for all of us rookies.

**Mr Dan Newman (Scarborough Centre):** I'm Dan Newman, the MPP for Scarborough Centre and parliamentary assistant for native affairs. Prior to election on June 8, I worked at the Toronto Sun Publishing Corp for 10 years, including two years with the Financial Post, helping that get started as a daily newspaper. I look forward to working with all the members of this committee for a better Ontario because, after all, we all have the same boss, the Ontario taxpayer.

**Mrs Munro:** I'm Julia Munro and I'm the MPP for Durham-York. My background is as a secondary school teacher and I've worked in York region since 1971 as a secondary school teacher. My particular background is as a history teacher. As a parent, as a teacher, I really welcome the opportunity to be on this committee because I think it certainly addresses the kinds of issues I personally see as extremely important for the people of Ontario. As the others who are rookies to this have suggested, I look forward to the opportunities that those of you who have more experience will be able to share with us.

**Mr Leo Jordan (Lanark-Renfrew):** My background is with Ontario Hydro. I spent 18 years in the operating department and 18 years in the consumer service and property department. During that time I also served on the municipal council and other associations within our community such as the Victorian Order of Nurses and so on. Then of course, as you served on municipal council, you progressed to reeve.

As my colleagues across the way have pointed out, the real democracy I think takes place in these rooms, because my experience was at the county level and it's managed by the committee system. It gives every member an opportunity to have input in the areas and fields they have expertise in and they, as you have all said, tend to learn very much from the others you work with. You get to know people as people and many friends are made through committees. There's a certain amount of travelling to be done and there's a lot of communication, whereas if you only had the Legislature and passing bills and so on, the Legislature would be a pretty cold type of democracy, in my opinion.

I'm looking forward to this committee, and I see a lot of experience on the other side here also. We have two former cabinet ministers, we have the mayor of Kingston and members of other councils across the province, so I'm really looking forward to serving.

**Mrs Helen Johns (Huron):** My name is Helen Johns and I'm the MPP for Huron. I'm going to explain a little bit about Huron for a minute. Huron runs up Lake Huron north of London. It's basically an agricultural area and one of the things it grows the most of is female politicians in this Legislature, having four of them from Huron county.

I'm a mother with two young children. They're four and six years old and so this is quite a change for me, and that's part of the social implications of this job.

I have an accounting and business background, having worked as a controller and financial VP for small and medium-sized businesses for 15 years, focusing mainly in the banking and stock brokerage area.

I'm the parliamentary assistant to Health, so you can imagine the learning curve I'm on right now. It's a mind-boggling experience, so I'm looking forward to this committee to be able to look into a lot of the details. I'm learning the forest and need to look at some of the trees, I think. I'm looking forward to this.

1550

**Mrs Ecker:** I'm Janet Ecker, the member for Durham West. I'm parliamentary assistant to the Minister of Community and Social Services and a member of the Huron county alumnae.

I'd like to start by congratulating the Chair and the Vice-Chair. I'm looking forward to working with you on whatever it is this committee ends up doing. I'm also very much looking forward to working with some of the other esteemed members, especially Mr Laughren and Mr Wildman, whom I have watched in various capacities over the last several years, and also with, I think, some very able representation on this side of the table, both new and old.

I find it rather unusual to sit here in this place. I'm usually more used to sitting in there somewhere at the other end of the hall. I've sort of hung around this building I guess for almost 20 years in various capacities, both as a bureaucrat, as a political aide to several ministers, party leaders and at least one Premier, and most recently have been involved in the health care area as policy director for the College of Physicians and Surgeons, and before that as a private sector consultant who tended to do a fair bit of work in the health care area, as well as community involvement, the United Way and shelter and housing projects out in my area. So this is certainly an area where I have an interest and that I think I'm going to enjoy very much.

I would also like to echo the comments that many have made around the table about the value of the committee experience, because I think it's an opportunity not only to kind of get into the teeth of issues and do something productive, but also to get to know all of us across the floor where there are human beings beyond the partisan cut-and-thrust we love to indulge in.

**The Chair:** Maybe I could tell you a little bit about myself. The history of my life has been essentially social development. I spent 21-odd years full-time with the YMCA both at the local level, national level and international level, and with international organizations and overseas on two occasions. So I have a great interest in the strength of communities.

I was elected here in 1987 to 1990, which was a great experience, albeit quite short, but it afforded me the opportunity of learning about government and the way in which government can support the strengthening of communities. I was Minister of Government Services and



Minister of Correctional Services and both those ministries helped me to see how you can strengthen the capacity of individual communities at the local level by the way in which you go about doing things. I found that absolutely fascinating.

In terms of this committee, I must admit this is a new experience for me, being in opposition, and so it's almost joining a different culture. I will be learning about that, as many of you will, but I would like to say that while our system is based on party politics, I believe the capacity to address the big picture surely will oversee partisan reflections, at least being able to listen very carefully to each other and to be able to respond and build upon ideas that may be in the very best interests, and sometimes that means going back and convincing your own party that perhaps there needs to be some change based on the discussion and the wisdom that ensued around a table such as this or by virtue of people who would share views that they have. I suppose that's what the challenge will be for all of us.

I would like to suggest that one thing we might want to do is use first names, with your agreement, that there may be occasions in which the formalities of last names are more appropriate, but that generally we would use first names. But in the record perhaps it's better that we have people's full names so that there is no confusion as to who has spoken on one particular issue.

Do I take it that we're in agreement on that?

**Mr Gravelle:** Sure, Richard.

**The Chair:** Thanks, Mike. Is that in agreement? Okay.

**Mr Jordan:** I think it's important that it be recorded with the full name, because if it's going out to ridings and to the public—

**Mr Wildman:** In some cases, you'd rather they didn't know your name.

**The Chair:** So last names in terms of recording, and in terms of our verbal discussions, we can address each other in terms of full names. If we're in agreement with that, we can proceed on that basis.

If I may introduce our clerk to you, who is on my right, Lynn Mellor is an experienced and seasoned clerk, and I might add highly respected in the Legislature; also, the assistant director of legislative research on my immediate left, Bob Gardner, and Ted Glenn, who is the research officer who also helps out and will perform services for the committee as a whole or individual members who have questions they would like to pursue in the course of their explorations.

This young gentleman I don't know.

**Clerk of the Committee:** That's Hansard.

**The Chair:** Oh, I'm sorry; Hansard. I thought that was behind us. All right.

**Mr Agostino:** Mr Hansard.

**The Chair:** Mr Hansard. Perhaps I might call upon our clerk to carry us through a brief orientation. During this time, any questions you may have around procedure or related to procedure or explanations or justifications of why we do things in a certain way would be in order.

**Clerk of the Committee:** I'd like to give you a brief background on this committee and what it's done in the past and what areas of study this committee will be involved in.

The committee in the past has been involved in items like separate school funding, long-term care, regulated health professions, and has spent many hours on all of those issues. The areas of study are community and social services, education and health. All agencies, boards and commissions that are related to those policy areas are also part of the mandate of the committee.

The committee can have matters referred to it in several different ways. They can have a subject matter referred to it from the House. In that case, usually there's some restriction as to how the House might want the committee to look at the area. A government bill might be referred; a private member's bill might be referred. Those areas are dealt with by the committee with any instructions that the House has given it.

The other areas of study the committee can look at in the policy areas I referred to earlier—standing order 108. You can study just about anything under standing order 108, but it's done at the wish of the committee, meaning the majority of the committee wants to go ahead with this area of study.

Then there's another area of study, standing order 125, which provides for a 12-hour review of a particular issue. It can be raised by any caucus once each calendar year, so that means there'd be a maximum of three issues studied under that.

As the clerk of the committee, I'll be available to the Chair for procedural direction, as well as any member of the committee. If at any time you're preparing a motion and you need some help doing it or anything that you need procedural advice on, I'm available to you.

The Chair of the committee will be assuming the same role as the Speaker in the House. He will try to apply the standing orders wherever necessary and try to keep the committee rolling along and letting everyone have their say to the point that the standing orders allow it.

The ruling of the Chair is not debatable, but it can be challenged by a majority of the members of the committee. That's covered under standing order 120. It involves a report to the House and a response from the House, when and if that should happen.

Briefly, that's all I have to say at this moment. If you have any questions, either now or later, please feel free.

**The Chair:** Are there any questions right now?

**Mr Agostino:** Standing order 125, by the end of December would have to be—is that the way it works?

**Clerk of the Committee:** It's a calendar year, so you'd be allowed one this calendar year. It doesn't mean that the study has to be completed at this time; it means that during this calendar year you're allowed a selection, and then into the next calendar year you'd be allowed another selection. But that doesn't mean it has to be completed; the matters do carry over.

**Mr Agostino:** Standing order 108 is unlimited but that is subject to the majority of the committee?

**Clerk of the Committee:** That's right.

**The Chair:** Any other questions? Okay, thank you.

Now I would like to ask Bob Gardner if he would tell us a little bit about the nature of research that's available and the kinds of things that occur.

1600

**Dr Bob Gardner:** We provide research service for the committee at all stages of the deliberations the clerk has just outlined.

I have actually a little show and tell here. Last summer, the committee did two reports under standing order 125, one on dialysis treatment in Ontario and one on children at risk. They provide a good example of the kinds of things we do.

In both of those cases, and particularly the children at risk, we provided some background information at the start of the hearings. We actually provided some notes to the subcommittee to help define "children at risk of what?" They narrowed down exactly what they wanted to look at. That was developed into the ad that went out to the public and the various interested parties.

As the hearings progress, we provide an ongoing summary of what the witnesses are telling the committee. In this case, it's a thematic summary of what were the key issues identified, what were the kinds of programs the committee heard from the various social service agencies, health agencies and so on, what kinds of suggestions were these groups making for change, what was being heard from academic experts and professionals in various fields and so on.

When it's a question of legislation before you—and the one I brought on that Ms Ecker will remember from her previous life—this was the hearings on the Regulated Health Professions Act. What we end up providing you is a kind of section-by-section summary of who was saying what about that section. These are just acronyms for the various groups, and we provide a list of all the groups. This one was 85 pages long, about usual for this committee. This committee has very extensive hearings and so our summaries sort of parallel the work you have been doing. The separate schools one was of course one of our longest endeavours. That's our end as well as at your end.

At the end of the hearings, you'll be drafting a report, and we actually draft that report under your direction. Again, both the children at risk and the dialysis reports were about 50 or 60 pages long. You decide on your recommendations, we draft them, bring them back, you change them, we redraft them and so on. Also, if issues arise during the course of the hearings—for example, you may hear from a witness that there's a particularly interesting program in Alberta. Now normally, of course, what you do is you turn to us and ask us about Alberta, and sometimes we don't actually know everything about every program in every province, so we scurry around with colleagues in research or the legislative library and find that out. Typically, that would be either I'll just tell it back to you, if it's relatively simple, or a short memo or what have you.

As the Chair was saying, as the hearings go by, you can ask any number of questions you may want of us and we'll provide the material for you.

Now, of course, as individual MPPs you ask us for confidential research as well. That's a different matter. But you can approach myself or Mr Glenn any time you want and we'll handle individual requests too.

**The Chair:** Any questions for Mr Gardner?

**Mr Agostino:** On the request for research and so on, could you give some examples of the sort of research or the kind of information your staff would gather?

**Dr Gardner:** For this committee, I'll go back to the hearings on dialysis treatment. One of the things that arose there was the question of regional coordination, in effect having enough machines in the hospitals in the centres where the demand is for it. We heard through witnesses that British Columbia and Nova Scotia had been making some program changes and developed different kind of innovative means of basically regional planning. We were asked to provide that information and we got on the phone to the relevant folks in the different provinces and came back with a report. That would be fairly typical.

The other thing that we do is, if there is any press coverage of the committee's hearings as we go along in the Toronto papers or the papers of the cities and towns you visit, then we'll get that for you on an ongoing basis as well.

If you're hearing on legislation, you will have ministry people with you, so you may ask us a question that they will actually have the answer for. You don't need to worry about that at your end. We'll sort out the division of labour with the ministry staff.

But if it's on an issue and there is no ministry staff, you may want to know: "Well, what has been the expenditure on child care for the last 15 years here in Ontario? How is it divided by different types of child care?" We'll find that out, and on that kind of thing it's a question of finding the right official in the ministry and getting back to you.

You may want to know, "Well, what does the research literature say about the effect of early childhood education?" In the separate school funding, there was a great deal of interest about that. You may want to know: "Well, are there different requirements of teachers in the different systems? What are the different liabilities of the pension plans?" It can be very, very specific to the very, very general review of the literature; whatever you need to know, basically.

**The Chair:** Any other questions or comments? Thank you, Mr Gardner. I wonder if there are any small things which would be helpful to our interpreters or Hansard in terms of identifying who is to speak or when. Should people raise their hands or show their interest in participating in a discussion? What would you advise?

**Clerk of the Committee:** If there's an ongoing discussion going on, just a raise of a hand, drawing attention to the Chair that you're interested in participating. If it's a case where you have witnesses before the committee, sometimes it's determined that it would be a



rotational basis and so much time per caucus; sometimes it's first come, first served, first hand in the air will get the questions. It depends on what has been determined on any issue. But generally speaking, if you get the attention of the Chair, then that's the best route to go.

**Mr Gerretsen:** I assume that there are no standing order rules as to how the committee functions and operates on an ongoing basis. Is that correct?

**Mr Wildman:** The House rules.

**The Chair:** Yes.

**Mr Gerretsen:** The House rules do apply. Okay.

**The Chair:** Any other questions at this time? Is there any other business?

**Mr Agostino:** When's our next meeting?

**Mr Wildman:** I was just wondering, at this point do we have anything referred to this committee? There isn't anything on our agenda?

**The Chair:** No, not at this time.

**Mr Wildman:** Then I guess the question is, pending whatever the House might decide and the House leaders, whether or not individual caucuses want to make use of 125 or whether the committee as a whole would like to look at something that would be of interest to all members of the committee. I don't know whether we should, as a subcommittee, sort of try to canvass our colleagues to determine whether there's something that all of us would like to look at.

**The Chair:** Okay. I gather those are the three avenues we have.

**Clerk of the Committee:** If there is at any time an issue that people are interested in reviewing, if you let the Chair and myself know, then we'll go the appropriate route.

**Mr Gerretsen:** Would this committee, when it meets, normally meet at this time, on Mondays and Tuesdays? Is that the idea?

**Clerk of the Committee:** Mondays and Tuesdays at 3:30 or, if something happens in the House to delay that, as soon as possible after that time in this room.

**The Chair:** Unless there are hearings that are outside of this place.

**Mr Pettit:** So are we just waiting, then, and we don't really know when the next one would be as yet?

**The Chair:** No. We would wait for either some request or referral by government, a request of any member or all of us to consider an issue or a 125 from any of the caucuses.

**Mr Pettit:** Would we normally be given a week's notice or could it be 48 hours? What's the procedure there?

**Clerk of the Committee:** Normally the notices go out on Thursday afternoon. If I'm aware there's been a referral to the committee in time to have the notices out on Thursday afternoon, you will have them Thursday afternoon; if not, as soon as I can get them to you, I'll give you as much notice. Sometimes it may be a phone call. That's more likely for the subcommittee members, though.

**Mr Pettit:** The same thing carries forward when the House is not sitting?

**Clerk of the Committee:** When the House is not sitting, that's quite different. Then it depends on what issue has been referred to the committee; it depends what the House leaders have determined as a time frame. For example, in the winter recess, whether or not you'd be allotted time to sit in January, February or March, it'd be identified very clearly, and that's determined by the House leaders, and the length of time. It could be two days, it could be two weeks, it could be four weeks, it'll just depend, and then the committee can determine at that point how many days of each week, if there's more than one week, it needs to sit to finish its business.

**The Chair:** Okay. Any other questions? There being no other business, then I would adjourn this meeting and at the call of the Chair we will be in touch with you for our next meeting.

*The committee adjourned at 1611.*









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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

**\*Chair / Président:** Patten, Richard (Ottawa Centre L)

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(Kingston and the Islands / Kingston et les Îles L)

\*Agostino, Dominic (Hamilton East / -Est L)

\*Ecker, Janet (Durham West / -Ouest PC)

\*Gravelle, Michael (Port Arthur L)

\*Johns, Helen (Huron PC)

\*Jordan, Leo (Lanark-Renfrew PC)

\*Laughren, Floyd (Nickel Belt ND)

\*Munro, Julia (Durham-York PC)

\*Newman, Dan (Scarborough Centre PC)

\*Pettit, Trevor (Hamilton Mountain PC)

Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

**Clerk / Greffière:** Mellor, Lynn

### **Staff / Personnel:**

Gardner, Dr Bob, assistant director, Legislative Research Service

Glenn, Ted, research officer, Legislative Research Service

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)



Tuesday 28 November 1995

# Journal des débats (Hansard)

Mardi 28 novembre 1995

**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Subcommittee report

Rapport du sous-comité

Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
Greffière : Lynn Mellor



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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENTCOMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Tuesday 28 November 1995

Mardi 28 novembre 1995

*The committee met at 1536 in room 151.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Richard Patten):** Ladies and gentlemen, you have before you a copy of the report of the subcommittee, which met yesterday. This report is before you and, if all is well, we would then proceed to a further subcommittee from this committee to add further details for the procedure. This is not an exciting meeting, necessarily, for the committee, but it is a way of launching us officially. The advice I have from the Clerk is that the subcommittee's report is deemed to be accepted. We need not have a motion; it's under 125 of the provisions. These are before you. Are there any comments or questions at this time?

**Mr Peter Preston (Brant-Haldimand):** I'm sorry I missed the other meeting, but the situation I can't figure out is the "provided to children including...." I can't recollect the reduction in most of these. Can somebody tell me why we're investigating things that I don't think have happened as yet? Or if you can tell me when they happened, when and how these cuts were made, I'd be appreciative.

**Mr Michael Gravelle (Port Arthur):** I think that many of the reductions in funding that the minister announced in the ministry cuts earlier this year certainly have taken place, in terms of the 5%, the 2.5%, in terms of the cuts to ministries already in place that we've been talking about pretty well all through the fall, in terms of children's mental health services, the children's aid societies, which have obviously been—

**Mr Preston:** That's one I can buy.

**Mr Gravelle:** I mean, we can talk about the impact of some of the things that may be happening. We'll be finding out about them, but certainly the cuts are there in terms of the funding for programs for children with disabilities and other things. The fact is, the reason we tried to phrase it as "the impact of the Conservative government funding cuts on children and on children's services in the province of Ontario"—that was our overall general statement that we thought should be accepted.

**The Chair:** Peter, just for your information, within each calendar year each caucus is entitled to have what's called a 125, which is, they put it forward, they're only allowed to have one each year and, providing the requirements are met, which are listed in the report—the clarity of statement, they list they have certain members—what were the other two?

**Clerk of the Committee (Ms Lynn Mellor):** The starting date.

**The Chair:** The starting date and the sense of proportion of timing, I suppose.

**Clerk of the Committee:** The time allocated.

**The Chair:** The time allocated for the consideration of the matter.

**Clerk of the Committee:** Which is 12 hours.

**The Chair:** There's a maximum on that; there's a cap on it. That's one of the ways in which some of the opposition caucuses get their crack at something in a way. They can do it once a year other than—

**Clerk of the Committee:** These reports are deemed to be adopted by the committee.

**Mr Preston:** Okay.

**The Chair:** No, no, that's okay. We're all learning about this.

**Mrs Janet Ecker (Durham West):** Is it permissible for the committee to ask the subcommittee to consider issues that perhaps have not been settled in the original motion. For example, we don't have time for presenters. I still feel that we do need some opportunity for ministry participation where there's an opportunity to put some facts on the table. My colleague made a comment that I think demonstrates the need for that, if we want to make sure that the committee report's going to reflect exactly what's happening and given the fact that there may or may not be changes in some of these things as of tomorrow. I don't know if it's feasible for us to move that the subcommittee pursue that or whether we can give direction to the subcommittee to do that. How does that work?

**The Chair:** My understanding is that any member can make a suggestion to the subcommittee and the subcommittee can entertain it, and if the subcommittee agrees, then it can make the modifications, but there was the overall time allocation.

**Mrs Ecker:** That's right, yes. I acknowledge that.

**The Chair:** I believe the assumption yesterday was that—in the interests of time, because today apparently is the last day—if this was presented within that time frame, then immediately following this meeting we would go at some further detail and further clarification that would be up to agreement by the subcommittee. So if you have any of those concerns, we'll raise them in the subcommittee.

**Mr Gravelle:** Mr Chair, I have to speak in the House following the minister. I understand he's only speaking for 10 minutes, so if I could excuse myself; I will come right back.

**The Chair:** No, I'm sorry; you're not allowed.



**Mr Gravelle:** I'll be short.

**The Chair:** In the meantime, you may have a substitute for yourself.

**Mr Gravelle:** Mr Gerretsen will speak on my behalf.

**The Chair:** All right.

Now, the function was simply the presentation of this to the committee, and then the subcommittee would convene to deal with the questions, such as what Janet's

raised and any other questions you may have or, Tony, that you may have. So I would ask for a motion of adjournment.

**Mr Tony Martin (Sault Ste Marie):** So moved.

**The Chair:** Thank you. So now I have to bring the gavel down.

*The committee adjourned at 1543.*









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*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

Martin, Tony (Sault Ste Marie ND) for Mr Wildman

**Clerk / Greffière:** Mellor, Lynn

#### **Staff / Personnel:**

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 11 December 1995

# Journal des débats (Hansard)

Lundi 11 décembre 1995

**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Children's services

Services à l'enfance



Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
Greffière : Lynn Mellor

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STANDING COMMITTEE ON  
SOCIAL DEVELOPMENTCOMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Monday 11 December 1995

Lundi 11 décembre 1995

*The committee met at 1534 in room 228.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Richard Patten):** I call the committee to order. We have before us our agenda. This afternoon, the focus of the agenda is the standing order 125, the impact of the Conservative government funding cuts on children and children's services in the province of Ontario. Prior to receiving our witnesses, I would refer the committee members to the report of the subcommittee. Everyone has a copy before them. I would ask for a motion of acceptance.

**Mrs Janet Ecker (Durham West):** I move that we accept the subcommittee report.

**The Chair:** All in favour? Carried.

## CHILDREN'S SERVICES

Consideration of the designated matter pursuant to standing order 125 relating to the impact of the Conservative government funding cuts on children and children's services in the province of Ontario.

**The Chair:** Before proceeding to our first witness, can I ask our assistant researcher to refer us to the documents he has also placed before us.

**Mr Bob Gardner:** There are two things from us. One document is background information on funding of children's services. This provides some information and a number of appendices of press clippings and material from the Ministry of Health and the Ministry of Education and Training. The second one is the document we just received this afternoon from the Ministry of Community and Social Services. Because we just got it this afternoon, we didn't have time to incorporate it in the other report. So the two things together give you information from all the three ministries.

You'll notice that the questions we asked of the ministries are at the front of the Comsoc brief. I don't want to take up any more of your time. If any of you have any questions or want further information, just talk to us as you will.

**Mr Dominic Agostino (Hamilton East):** I don't know why they gave that to you and we weren't able to get it as a background thing. Would it be possible from now on to get some information at least a day or two in advance so we get a chance to read it before we come to the meeting, or is it just going to be routinely put on our desks and we're expected to deal with it as we're reading?

**Mr Gardner:** We always try and get material to members in advance. The difficulty this time was the scheduling. The hearings were only scheduled fairly

recently, and then getting the information from the ministries. Our principle is to get it to you in advance. It's not always possible.

**Mr Tony Silipo (Dovercourt):** Like other members of the committee I just started to glance through this report, and as you may imagine, I look at it with some interest, given some of the answers to the questions that are in here.

I just wonder whether in the process the committee has established—as somebody subbing in for another of our members I'm not aware of this—of looking at this matter under standing order 125, the committee has discussed at all the usefulness of having people from the ministry here to give members of the committee an opportunity to delve a little more into some of these questions.

**The Chair:** Yes, that was discussed in the subcommittee. Requests of that nature of course are in order. If you can bring that forward following this afternoon's proceedings, we can talk about it.

ONTARIO ASSOCIATION OF  
CHILDREN'S AID SOCIETIES

**The Chair:** I would now call our first witnesses, from the Ontario Association of Children's Aid Societies, to please come forward. You are our first witnesses to these hearings. I ask that you please introduce yourselves. I remind you that you have a full half-hour from your opening words, and any of the 30 minutes that you don't use will leave time for questions; if you eat up all the time with your statement, there is no time for questions. I'm sure you would welcome the opportunity and certainly the members would welcome the opportunity to ask you questions. Welcome, and please proceed.

**Ms Mary McConville:** Thank you, Mr Chairman, and now to the race; we've done this before.

My name is Mary McConville, executive director of the Ontario Association of Children's Aid Societies, and with me today is Mr Bob Penny, executive director of the Kawartha-Haliburton Children's Aid Society. I'd also like to apologize for not having our presentation to you in advance. We usually do when we appear before legislative committees, but we just didn't have sufficient notice.

Before I highlight my remarks and turn over to Mr Penny, I'd like to draw your attention to what's in this package. It may be confusing, given that it was prepared in such haste.

The first appendix at the back of our remarks is just a set of fact sheets on the children's aids and financial matters and caseload matters and implications of cuts.

This item, called appendix B, is from the Gove inquiry in British Columbia. That's all the recommendations that



Judge Gove made with respect to the death of the child Matthew and the child protective services of that province.

Appendix C is a very interesting article from Alberta about the impact on the child welfare caseload following the cuts in social assistance last year.

Appendix D is a recent article from the New York Times about the impact of social assistance reform on child welfare services in the state of Wisconsin. Then there is an article out of our provincial journal which talks about the impact of economic change on the London community and some of the social services in that community, especially child welfare.

We'd like to thank you for inviting us to speak today about the impact of the funding cuts on children and on children's services in the province. I would like to begin by noting that we did appear before this committee in early 1994 to talk about children at risk, and it would be useful for new members of this committee to review the summary document of those hearings with respect to evaluating the importance of investing in the healthy development and protection of children at risk.

1540

Since the time we appeared before you last, only a year or so ago, the situation in Ontario has worsened for high-risk children and families. Community support services, including the mandatory protection services of the province, are facing major threats as a result of government budget cuts.

Many of you have read in the papers the story of Matthew, a young child who was failed by the children's services system in British Columbia. Judge Gove, who was commissioner of that inquiry, just delivered his report to the province a week or so ago. Matthew was a very young child who came to the attention of the Ministry of Social Services in that province many times during his short life of five years. There were at least 60 reports with respect to his safety. He was served by at least 21 different ministry social workers. He was taken to the doctor at least 75 times and his injuries documented, and was seen by 24 different physicians. The autopsy showed that he died of asphyxia when his mother put her hand over his mouth to try and stop him from screaming. But at his death he weighed only 36 pounds, and the autopsy demonstrated that he was covered in bruises, had rope burns to his body, had many internal fractures. He was a child who was tortured and deprived of food for some time before his death.

The Gove inquiry found serious inadequacies in the BC ministry's child protection system and in the provision of child protection services by the ministry's social workers. Judge Gove noted that: many social workers in that province were confused about their role and especially did not treat safety and the wellbeing of the child as paramount; two thirds of the social workers in that province do not have professional qualifications; the ministry's training program is only two weeks in length and most employees in the system are inadequately trained as a result. It was also found that supervisors didn't effectively supervise the social work staff who were carrying the cases. Further, social workers didn't get

information from other service providers and professionals in the community who were also supporting this family at risk. Medical examinations of Matthew were seen as isolated interventions by the medical community.

The story of Matthew strikes a deep chord in the minds and hearts of everyone who's read about him and especially child protection workers in this province. In Ontario, budget cuts to children's services are placing the child welfare system at risk. Budget constraint and budget slashing have forced the children's aids of the province to lay off staff and to cut support programs for high-risk families and to delay response time to calls for help.

Cuts to other community support services also have a direct impact on children and families and an indirect impact on CAS services. The very programs that have been established to prevent abuse and neglect, to support families in their parenting role and to provide relief to families and children are being threatened or reduced. When families cannot get help from these agencies in the surrounding community, they turn to the CAS for support as a last resort.

It appears once again that it takes the death of a child to force government to review and focus on services offered by a local child welfare authority. In 1978, Kim Anne Popen died in Ontario, and in 1982 the Judicial Inquiry into the Care of Kim Anne Popen was published in the province of Ontario. This report included 87 recommendations directed to both the Ministry of Community and Social Services of the province, as well as the province's children's aid societies.

Much has changed in Ontario since 1978. The competency of staff, the accountability of agencies and the quality of child protection services have improved dramatically. Since the mid-1980s, child welfare in Ontario has served as a model of effective community-based child welfare service delivery on the North American continent. As a result of the Popen inquiry, a new Child and Family Services Act was proclaimed in 1985. A mandatory training system was put in place for CAS professional staff and foster parents, workloads became manageable and community child abuse committees were created. In addition, substantive monitoring of CAS services were instituted by the ministry. These gains that we have made have been undermined, however, in the 1990s by the recession, by the constraint in government spending and, very importantly I would suggest, a silo mentality in the delivery of public services in all of our communities.

Although child protection services in Ontario are far from perfect, and we continue to strive towards better service to the public, they are vastly improved over the days of Kim Anne and many provinces in Canada have one by one turned to Ontario for leadership, both in enlightened legislation and strong community-based services.

We know that poverty and the need for child protection services are strongly linked, and I would ask you to take the time to read, after today is finished, the article which is included in your package on welfare reform in the state of Wisconsin. I'm not meaning to suggest at all that welfare reform is not needed, for surely it is and we

support that, but we are asking that the government be extremely careful, as we fight the deficit, that the agenda is not devoid of sound social policy.

There is ample evidence that a society's investment in the care of its young people will improve their life chances and save the state unnecessary expenditures on social ills down the road.

Children's aid societies in the province of Ontario will provide substitute care to 4% more children in 1995. We presently look after about 20,000 children a year in the province. We also have seen our family service caseload increase by 2%. To give you a sense of the financial implications of that, it costs approximately \$1,200 a year to look after a family with children in their own home. It costs societies anywhere from \$10,000 and up, frequently as much as \$60,000 and \$70,000 a year, to look after a child in care.

These service pressures are the result of a protracted recession and were evident prior to the 5% cuts to social assistance rates.

When government announced an additional 5% transfer payment cut in 1995, children's aid societies set about reviewing their budgets, programs and staffing to achieve the constraint. The provincial staff complement of CASS was reduced by 155 positions. In order to meet the constraint in 1996, as it rolls through, societies will have to cut agency staff by another 150 to 200 positions.

Programs designed to prevent children from coming into care, support families in caring for their children when they're in crisis and help young people become independent are being gutted by these budget reductions.

The Halton Children's Aid Society is in such dire circumstances that operating funding for the year ran out in October of 1995. The Halton children's aid has had to appeal to government to assist with cash flow for the remainder of the year and to identify long-term solutions, including the restructuring of services in Halton region. Many other societies have been slipping for the past four years and are struggling with growing indebtedness, growing caseloads and withdrawal of support from lending institutions. The government's funding cuts will reduce the 1996 approved budget for children's aids to 1991 levels.

1550

We are continuing to collect data, but we know from the anecdotal evidence of our societies that caseloads are continuing to increase.

We are clear that the solution to the problem the societies are facing certainly lies in part in the restructuring of our services in communities to ensure the most efficient use of public resources. But regardless of the shape of administration and service delivery, we know that effective child welfare services across the province require consistent standards of service supporting best clinical practice, manageable workloads for staff, trained staff, trained foster parents, commonly used assessment tools, access to the expert ancillary professional services in health and education, a range of family support services, a common provincial database and useful information analysis, effective community planning and

involvement and integrated community services across education, health and social services.

It's our sincere hope that the funding crisis will force a re-examination of the importance of child protection and will create the opportunity to redesign our community services to do a more effective job for children.

I'll now turn to Mr Bob Penny, who will give you a more specific picture of the strain on a local children's aid society.

**Mr Bob Penny:** Thanks, Mary. Good afternoon, ladies and gentlemen. I am from Kawartha-Haliburton and for those of you who don't know, that's the lovely city of Peterborough and Victoria county and Haliburton county.

The child welfare system already, as you will be aware, under the tender ministrations of a previous regime and with greatest respect to Mr Silipo, has made drastic changes in the system. Given the makeup of child welfare budgets, the major impact of cuts in recent years has fallen heavily on salary and benefit costs and those are costs which, by comparison with other parts of the social services sector, are not high and the salaries and benefits costs are relatively low.

In order to try and preserve service, societies have attempted to focus their reductions on administrative costs. That has not been without its own difficulties. As you're aware, the cost of living, 1991 through 1995, has risen by some 11%. Within that, the cost of benefits alone has risen by something like 38% as an average cost per employee. Within that, however, we have attempted to reduce administrative costs and have been relatively successful in that by removing a number of management positions from children's aid societies. That has reached a point now, I believe, where we have removed too many of those supports to front-line service and we will now have difficulty maintaining effective operations.

In addition to that, the system is strangled by red tape. Our line staff spend approximately only 20% of their time in direct face-to-face contact with clients and that is because of the huge paper load they carry that simply has to be addressed if efficiencies in that regard are going to be improved.

Notwithstanding the reduction in administrative overhead, it has been necessary to impact the salaries and benefits of front-line staff. Our staff, for example, have had a 1.5% increase since 1991. That's exclusive of pay equity settlements which certainly were beyond our control or any other agency's control. But beyond that, we still had to reduce service through layoffs. In our case, we've eliminated an abuse treatment program that served a large number of sexually abused children in the community. We've closed the only two group homes that we had under our direct operation and we've reduced the supports to a foster care system that we are relying on to provide the bulk of residential care to those children who cannot remain in their own homes. In short, prior to the imposition of the current 5% constraint we had already reduced the service available to communities.

So what is going to happen now? Well, the previous reductions left us in a position where the removal of any



part of our budget necessitated the reduction of service to the community. There was simply no way around it. Accordingly, in 1996 the Kawartha-Haliburton Children's Aid Society is having to reduce intake and therefore reduce our capacity to respond to the increased service demand which will inevitably result from the downsizing of other social service organizations in the community.

We've reduced our after-hours coverage such that the counties of Haliburton, Victoria and Peterborough—and that's the largest CAS jurisdiction in southern Ontario. If you've driven through the territory, you will know it takes a long time, particularly at this time of year, to travel from Peterborough up to Haliburton, Minden or the northern parts of Peterborough county. But we have reduced our after-hours coverage in that area; from 11 o'clock at night until 9 o'clock in the morning, that total area will be covered by one person. We're desperately hoping there isn't more than one call coming at one time to that person, because we'll have great difficulty reaching them with any speed.

In addition to that, we're contemplating the further reduction of support to foster parents, again reducing support to that system we rely upon most heavily to provide residential care to kids, and we're about to eliminate three of our six supervisory positions, which now provide direct, case-by-case supervision of the cases that are in our system. So we're looking at reducing our supervisory capacity by 50%.

What are the implications of these actions? Well, with the above reductions, we begin to expose the agency and the government to liabilities associated with the inability to meet legally defined and mandated expectations. We can achieve the 5% reduction target, but having achieved it we will have reached a point where any further erosion of our funding must result in staff and service reductions which will clearly place the board and employees in a position of liability. In other words, we're sitting on the edge right now; any further reductions to our system push us over the edge. There's absolutely no question about that. At that point, it is highly unlikely that our board or any other board in the province that is in a similar position will be prepared to continue to serve.

Over the past two years, our liability insurance costs have risen some 53%. If we're pushed into a position where we are unable to meet our legally mandated obligations, it may well become impossible to get liability coverage at all, a fact which again will very quickly spell the demise of voluntary boards in Ontario.

The elimination of voluntary boards goes much further than simply losing the governance in particular organizations. Volunteers in the child welfare system outnumber the staff that are currently employed in that system. Our foster parents, which are another version of volunteers, also outnumber the staff. Both of those groups provide vital links to the community which I believe this government is striving to maintain and further develop, links that provide a wealth of input into the types of services that we want to see provided in the community and provide, I think, a very good feedback mechanism to the government, something which this government I do not believe would want to lose.

**The Chair:** Thank you very much, Mr Penny. We now move to questions. We'll begin with Mrs Papatello.

**Mrs Sandra Papatello (Windsor-Sandwich):** Thank you both for coming today. How much time do we have, Chair?

**The Chair:** We have 10 minutes left. So a couple of minutes each.

**Mrs Papatello:** So we have all of the 10 minutes? Quickly, what would the quality of service be if all of the children's aids across Ontario were to give up their mandate to deliver the service and it were turned over to the provincial government in order to do that?

**Ms McConville:** If you look at the North American continent, you see many jurisdictions that choose to provide direct-operated child protective services through different levels of government, either a state level or provincial level or a county-based or municipal level.

If you look at the national picture in Canada, the vast majority of services are run by government. I have absolutely no hesitation in saying that many of those systems are an absolute disaster. They have been reviewed and reviewed. Newfoundland was reviewed a couple of years ago. The province of Alberta reviewed its child protective services a couple of years ago. BC has just completed a review. In almost each and every instance the conclusions are the same, and governments are divesting these responsibilities to community-based services.

**1600**

I would like to suggest that when the legislator and the funder and the policymaker is also the service provider, that body is accountable to nobody, and that's what has happened in child protective services that have been run directly by government.

**Mrs Papatello:** Just quickly, when the minister was questioned about the cuts to children's aids in the House he suggested that in fact we may be fearmongering and that there are many, many savings in administration which can still be found throughout the children's aid societies. Do you agree with that?

**Ms McConville:** No, I do not. We're very supportive of the government's direction to restructure children's services specifically under the child and family services legislation. Quite frankly, we've been trying to convince government for several years now to develop a broader vision of restructuring, because we firmly believe that child protective services require not just a community-based response but significant attachment to a broad range of services, including health services, in order to be effective. So we'd like to see a much broader-based restructuring effort result from this funding crisis.

Through restructuring, yes, you can find more, I think, efficiencies. But if you're trying to restructure and redesign and find efficiencies solely within the present child welfare envelope, we don't have much further to go, because the societies have been cutting back on administration and programming and staffing for the last four years.

**The Chair:** Do you have a question, Tony?

**Mr Silipo:** I wanted to follow up on this point because I think Mr Penny has been clear both in his brief



and in his comments about the inability of his children's aid society to meet legally defined and mandated expectations as a result of the cuts that are coming. Those are the words that I'm seeing here on the paper and that I think you quoted. I guess what I wanted to get from him, as well as from Ms McConville, was—that's a pretty dramatic statement, and I think that there's a tendency among the government members to say that in fact we all, you in this case, are exaggerating to make a point.

I'd like you to comment on that, because I think when we're dealing with children in need, as we are in this case, as strongly as I think I would argue your case, I would want to be sure that we are talking, in effect, about societies coming to the brink, as I think you're saying that they are, and not being able to meet your legally mandated needs; and then beyond your own situation, I'd like Ms McConville perhaps to comment on how many other societies are either at that position or that you foresee will be in that position over the next year or two.

**Mr Penny:** Commenting from the standpoint of our society, one of the difficult things, I believe, for all of us is that we don't often know we're over the edge until there's a disaster. That's happened far too often. It's happened in British Columbia, and it's happened previously in Ontario. We sense we're at the brink based on what we see coming in the door and what we see of our current ability to supervise what comes in the door. Beyond that, I hate to say that it may take a specific example to demonstrate what I'm talking about, and I hope it doesn't come to that. But I truly believe we're there.

**Ms McConville:** With respect to the whole of the system, every single agency isn't experiencing the same level of stress. For example, I pointed out that we have a spectrum of stress ranging from Halton's situation, where they're virtually insolvent at this point, all the way through to societies that are just beginning to feel the pressure such that they don't feel that they're responding adequately to the caseload that they've had to assume.

We think that at this point in time, based on the data that we have, that eight to 10 agencies are experiencing serious distress, and we've got significant concerns about their ability to respond effectively. We are not certain how many more agencies in 1996 will be in severe stress, because we are not clear what their financial status is at this point. We are having ongoing debates about how the agencies are going to find their 5% in some instances and what the final allocation is going to be from the ministry.

So we're not entirely clear what 1996 holds, but we think that close to half of the agencies will be in severe stress once the full impact of the 5% cuts roll through and given the increased service demands, which is the other half of the picture for the CASs.

**The Chair:** Time for a final question.

**Mrs Helen Johns (Huron):** I'd like to thank you on behalf of this side of the House for coming today and for talking to us. I want first of all to say that I'm deeply concerned about the plight of children. I have two young children and that's why I ran, not wanting to see them in debt and not have opportunities for health care and education. I have to also say that I'm an accountant, so things come down to some dollars and cents for me.

I can only speak about things I know. My children's aid society has not been able to give foster parents a raise in any way for a number of years, which I believe is its decision on how it allocates the funds. At the same time, the director receives between \$67,000 and \$115,000 per year. He's had a raise of 4.5% a year. I have been able to obtain a salary level grid that says that people get 3.4% increases per year in administration, 3.9% increases per year in social work and 4.4% as managers and supervisors per year.

It seems to me that there's an overwhelming contradiction there that the foster parents receive nothing and the administration or the people who deal least with the child seem to be getting these huge raises in years when both the public and the private sectors have basically been taking cuts. This dichotomy is very difficult for me to handle. I know you've said basically that they're not all the same all the way along, but how do you as a global organization protect the utilization of funds and make sure it truly is going where we believe it should be, to the child?

**Ms McConville:** First of all, I don't know what agency you're talking about, and even if I did I would probably not be prepared to comment on those particular statistics because I don't know all of what's behind them, but there are a few facts I can share that I think put that kind of picture in a different perspective.

Number one, most of the sector is unionized and agencies have to negotiate and support collective agreements. So in some instances those raises would have reflected the legal responsibilities the societies have to support their agreement with their staff. Secondly, pay equity settlements, again which have been beyond the control of the societies, have largely been responsible in the last two to three years for the increases in compensation in child welfare as opposed to other kinds of negotiated settlements. That is something that's been beyond the control of the societies.

With respect to increases to foster parents, you're quite right. There hasn't been much in the way of increases over the last two or three years, but if you look at what's happened to compensation across the system, all the while there have been increases given to support collective agreements. In many instances those increases for staff have been paper increases. They've had to take days off in order to meet the budget requirements of the agency. The impact on compensation and benefits on the staff across the sector has been quite negative on the whole.

1610

**Mr Penny:** I'd like to respond, if I might, just in terms specifically of our organization. My salary is \$80,670. The administrative staff and the bargaining unit staff have had no increase since 1993, and at that point they had a 1.5% increase. Prior to that, the last increase had been in 1991. Now, that is exclusive of pay equity. Pay equity is a jungle grown by you folks, not by the children's aid societies. So I won't even comment on that, but in terms of the impact, the moneys—certainly I can speak for our organization—are going into front-line service. I'd be pleased to show you that information if you would like to see it.

**The Chair:** Thank you kindly. Our time is up, and I want to thank you for joining us today and providing your verbal comments and information, as well as the background material, which members will have a chance to look at, and thank you very much for coming.

ASSOCIATION OF EARLY  
CHILDHOOD EDUCATORS, ONTARIO

**The Chair:** Our next witnesses are from the Association of Early Childhood Educators, Ontario. Let me welcome you and likewise remind you that the time you take of the half-hour in terms of presentation provides the remainder for questions. So you can play that as you would like. Welcome.

**Mr Michael Goodmurfy:** Thank you very much for inviting us here today. I'd just like to introduce myself. I'm the current president of the association, and with me we have Robyn Gallimore, who is our executive director. We'd like to provide some verbal comments and we also have a written submission which addresses the content of our presentation.

Why are we asking the youngest, most vulnerable members of our society to help finance our deficit? Children all over this province are feeling the impact of the recent cuts to child care, social services and welfare. The Association of Early Childhood Educators, Ontario is the largest child care organization in Canada, representing over 3,000 early childhood educators in Ontario. As a professional association it is part of our mandate to work towards quality child care and education on behalf of the children in Ontario. In the wake of recent government cutbacks, the AECEO is very concerned about the current state of child care and child welfare in this province.

The first area that we're going to address is outline how government spending cuts have affected and continue to affect children in Ontario. The first official statement issued by Premier Harris in July 1995 included a large number of fiscal cuts that are currently eroding the quality of life for children, parents and early childhood educators. The direct and indirect impact of the recent mini-budget in mid-November is still to be determined.

Secondly, I'd like to go over some disturbing statistics that touch the lives of many children in Ontario. The alarming numbers indicate that the children of our province are in a state of crisis. We simply cannot afford to put children in jeopardy any longer. We will pay for it later if we do not invest in our children now.

In the final part of my presentation, I'd like to outline some of the main reasons why we need high-quality, regulated child care in Ontario. There are many arguments in support of a regulated child care system, many of which are compatible with the aims and goals of our government's Common Sense Revolution. Then I'll finish my presentation with identifying some key recommendations that address the problems faced by government and the child care community.

In looking at the impact of government spending cuts, I'm going to limit my comments to a number of areas. One is the reduction of welfare benefits, cancellation of Jobs Ontario, funding cuts to boards of education,

funding cuts to colleges and universities, wage subsidies for early childhood educators and cuts to the AECEO equivalency process. So there are comments I'd like to provide in relation to each of those areas regarding the impact of government spending cuts.

With regard to reduction of welfare benefits, this has had the greatest impact on children of all the recent spending cuts. A record number of children in Canada, a total of 1.5 million, are currently living below the poverty line. Since 1989 poverty has increased by 55% for children.

The implications of this change are manifold. Babies in poor families are 1.6 times more likely to die before the age of one than children from more privileged homes. Communities requiring food banks have increased 187% since 1989. Of the 23 countries surveyed Canada has the third-worst rate of teen suicide and the second-highest poverty level for couples with children. Cuts to welfare have put these vulnerable children at an even greater disadvantage. These numbers will continue to increase if we do not put a halt to the current direction of welfare reform in this province.

The cancellation of Jobs Ontario was another fatality of the July round of spending cuts. Municipalities already struggling to meet financial obligations are now expected to shoulder their portion of child care according to the 80%-20% cost-sharing formula. This change creates an additional expense for which most municipalities have not budgeted. Child care for parents struggling to upgrade skills and enter the workforce now hangs in a precarious balance. Rumours of further cuts to municipal funding could tip the scale and jeopardize child care even further in many municipalities.

Funding cuts to boards of education: Children are also the victims of the \$32-million funding cuts for boards of education. The innovative early childhood education program, with pilots scheduled for September 1995, was one of the first casualties of the July round of spending cuts. The recent \$400-million cut in the mini-budget now puts junior kindergarten programs at risk of being cut.

The removal of these options for preschool children will create, in our opinion, a two-tiered early childhood system. Parents who can afford it will continue to access quality regulated care for their children. Those who cannot afford it will be forced to choose informal care based primarily on lower costs rather than quality.

Funding cuts to colleges and universities: In July, \$68 million was cut from funding to colleges and universities. The November mini-budget included further cuts of \$400 million. These funding reductions will have a direct impact on education and training programs for early childhood educators. The quality of curriculum provided in the classroom is at risk. In particular, field placement in the lab schools as well as the community is also in jeopardy. We have already heard that the nursing program at Sheridan has been eliminated and there are rumours of further college program cuts.

Wage subsidy for early childhood educators: Between 1984 and 1991, the average wage of early childhood educators in Ontario fell by 4.5% in real terms. The wage enhancement grant recognized the value of early child-



hood educators by providing a wage subsidy to enhance their salaries. Withdrawal of this grant could decrease wages of early childhood educators by \$8,000 per year, resulting in an average annual salary of \$20,000.

Further cuts to salaries for already underpaid early childhood educators could result in the loss of qualified teachers from the field and the potential shutdown of child care centres. Parents will have less choice in child care, and children in child care centres will suffer from higher teacher turnover rates and a possible drop in the quality of programs.

The final point in this section on impacts is cuts to the AECEO equivalency process. The association has recently lost \$32,000 in government funding that was being provided for equivalency evaluation services for foreign-trained early childhood educators. The vast majority of those using this service are in an underprivileged group—immigrant women—many of whom are struggling to immigrate themselves into the Ontario workforce. This cut in support will result in higher fees for equivalency applicants and in turn fewer applicants will be able to obtain equivalency and work as qualified early childhood educators.

A second area we'd like to address in the next part of the presentation is some of the statistics and facts related to what's happening in the areas of poverty, welfare and the child care system. If you look through some of those points, I think you'll find them fairly alarming and you may already be aware of a number of them.

**Poverty:** The first statement looks at the UN convention which singled out Canada for needing to take immediate steps to tackle the problem of child poverty. Further, since 1989, 300,000 more children in Canada have slipped into poverty. Some 60% of all single mothers in Canada live below the poverty line. The strong empirical link between poverty and child health and development indicates that even in the short run, tax savings of a benefit cut might prove just to be illusory in the medium to long run. That's based on some work out of McMaster University.

In the second area, welfare and some of the statistics there: One in three children in Metro Toronto are living on welfare. Over 400,000 children in Ontario are affected by the recent welfare cuts. Cuts mean that many single mothers will be forced back on the welfare rolls at a time when the government has cut welfare spending. Welfare benefits to single parents with on child in Ontario put them 35% below Statistics Canada low-income cutoffs. Generally, the victims of cuts are needy children.

#### 1620

A few statistics about the child care system: Emergency funding from Metro council for \$2.8 million to reinstate over 3,500 subsidized child care spaces is a one-time offer, and I know this has happened in other municipalities to continue the Jobs Ontario program on a limited basis.

Starting January 1, 1996, the spaces will be phased out over a six-month period through attrition. This will result in layoffs for 400 early childhood educators and the closure of 30 child care centres in Metro. A 20% on

transfer payments to municipalities will probably mean that another 5,000 subsidies will disappear in Metro at a time when 20,000 parents are on the waiting list for assistance.

The final statistic: Funding for 27 new school-based child care centres has been cut.

Finally, in that section, thinking of the words of Lloyd Axworthy, "Child care plays a key role in supporting employment, particularly for lone parents."

Hopefully, the statistics that I've reported in those three key areas speak for themselves as to the importance and relevance of the impact.

Looking at why we need high-quality early childhood education programs, we've identified four different points under the headings of breaking the welfare cycle, training and education, preparation for school and prevention.

**Breaking the welfare cycle:** Child care subsidy can mean the difference between a gainfully employed citizen and someone who depends on the welfare system for support. In comparing the cost of 10 years of social assistance to 10 years of child care, the net government savings and welfare costs for a one-parent, one-child family is \$91,000.

**Training and education:** Providing accessible, regulated quality early childhood education programs allows parents to continue their training and education. A workforce with greater levels of training and expertise means more permanent employment options and drops in welfare numbers. Higher levels of specialization and training in the workforce also create a more globally competitive economy with increased innovation, entrepreneurship, and hence, higher levels of employment.

**Preparation for school:** Early childhood education programs provide the foundation upon which all later educational success is constructed. As outlined in the Royal Commission on Learning report, quality early childhood care and education has been identified as one of the four engines of change that should drive education reform:

"Research findings and practice experience indicate that much learning takes place in the years before a child starts grade 1. We know that positive learning experiences help children to develop self confidence and positive attitudes to learning and equip them with a strong foundation for the development of learning skills."

**Prevention:** Quality early childhood education programs are the most practical strategy for the prevention of future problems for children in Ontario. Longitudinal research such as the Perry preschool project has found that children who receive quality early childhood care and education during their early years had significant higher levels of social, economic and emotional success by the age of 27. Compared with a control group, the adults from this study showed higher earnings by \$2,000 per month; greater levels of home ownership; higher levels of high school graduation by 33%; lower incidence of arrests and convictions by 50%; lower incidence of dependence on social services by 50%.

The estimated cost savings based on this study: \$7.16 on corrections costs for every \$1 spent on the program.



To bring our presentation to an end and looking at some of the recommendations that we would like to bring as a professional association, we would like your committee to consider the creation of a quality child care system for Ontario and urge that you consider the following components:

**Child care regulation:** The Day Nurseries Act defines standards for ensuring the safety and wellbeing of children in regulated child care settings. We recommend that these current, minimum standards are maintained or upgraded for the protection of children and families.

**Training and education for early childhood educators:** Early childhood education training programs in Ontario have accepted standards of classroom and field preparation for early childhood educators. The AECEO recommends that the government ensure that funding cuts to colleges do not jeopardize the quality of training and education provided in the classroom and then through field placement.

**The Association of Early Childhood Educators, Ontario:** The mission of our association is to be the leader in promoting the professional development and recognition of early childhood educators on behalf of children in Ontario. We recommend that the government continue to support the creation of a self-regulating body for early childhood educators similar to the proposed College of Teachers.

**Child care subsidies:** There are significant costs attached to providing quality early childhood education programs. We recommend that the government continue to provide child care subsidies to ensure affordable and accessible care for all children in the province. We also recommend that wage subsidies for early childhood educators are maintained to ensure adequate remuneration and stability in the field.

**Collaboration:** Child care has gone through an extensive consultation process in the past. We recommend continued collaboration between the government and professionals in the field. We continue to support the creation of a ministry of the child to integrate health, education and social services for children in Ontario.

Finally, the Association of Early Childhood Educators, Ontario recognizes the need for change in the child care system. We believe that this change can be best effected by a process of consultation, communication and collaboration between government and key stakeholders. As one of the stakeholders, we look forward to working with you in the restructuring of the child care system in this province.

We thank you for the opportunity to be able to present this brief to you today.

**Mr Silipo:** I appreciate very much the amazing overview that this presentation has given us in touching the different areas as you have done. I'd like to just ask you perhaps to look forward a little bit and give us your sense about what you think the system of early childhood education will look like, say in five years' time if this government continues on the course of action that it has started upon.

**Ms Robyn Gallimore:** I hate to think—

**Mrs Johns:** Feel free to use speculation.

**Mr Silipo:** We're talking about people who work in the system who have certainly firsthand knowledge about what's going on in the system, the impact you've seen in terms of the cuts so far. I'm even giving the government the benefit of the doubt. I didn't even add into the question if there were going to be further cuts; I just simply said on the basis of the actions that the government has taken. If the government continues in this vein, what's the system going to look like five years from now?

**Ms Gallimore:** I'm afraid the system is going to be demolished entirely. We've heard a lot of rumours. We haven't had a lot of contact with the current government. They haven't been terribly interested in hearing what we had to say.

My concern is that even if any part of the rumours—wage enhancement grants; I've heard talk about opening up the Day Nurseries Act. I'm concerned that the regulations we have in place that ensure the quality of child care will be demolished. I'm concerned that the early childhood educators who are working in the field now will no longer be able to support themselves working in the field if wage enhancement grants, for example, are withdrawn. It's a system where if we lose the municipal subsidies, which form a fair number of spaces in Ontario, the whole formal structure will just collapse into itself. I could speculate more. I find it quite frightening.

**Mr Goodmurphy:** One other thing I would just add, thinking of what was said, is that Ontario's had a credibility across Canada, as well as internationally, as being a province which had high standards and had credibility in terms of the way we approach child care. What I would worry about, if the cuts continue in the direction they have been, is that we would be much worse off as far as the provision of child care is concerned than many other areas internationally or within Canada, and that the respect we have had for what we've done in terms of standards and the quality of programs would be eroded to a point that I guess it would be, as I think you said, almost unrecognizable.

1630

**Mrs Ecker:** I'd like to thank you very much for coming today and on what was fairly short notice provide your views and input on this. I was very pleased to hear you support the need for reform in the system, and I certainly look forward to meeting with you, either before Christmas or after. In the early new year we're setting up a series of meetings to hear input from you in terms of how you believe we should change the system.

A two-part question: Given the fact that the cuts to municipal funding across the province only amount to 2% from their overall spending and the fact that many municipalities—and again I can only speak for my home municipality—have saved what in some cases results in millions of dollars through reductions in other areas and the social assistance reduction, I'm curious as to why you think the municipalities are going to rush out and wipe out child care when I think most of the municipal officials I've certainly talked to quite recognize, as we recognize, the need for child care support as an economic

support, for one thing, for parents. My region, for example, is quite committed to continue to provide the same day care spaces next year as they're providing this year and don't see that as a problem. So I'm curious why you think that is going to happen.

The second question is that at a time when we are facing a lot of pressure on the government expenditures in terms of what we should do, how do we defend to other groups in society, for example, workers who might work with disabled children, people who work in hospitals or whatever, whose salaries have not been topped up to that extent by the taxpayers? How do we defend doing it for one sector and not for another sector when there are many private centres I've seen that aren't getting that kind of generous wage subsidy and still seem to be able to provide care at an affordable rate for parents, from what I've been told? It's kind of a long question, but anyway—sorry.

**Mr Goodmurphy:** In terms of the first part of it, looking at the municipalities, based on some of the information that we had available, it's uncertain as to how all of the municipalities are going to make decisions around that. I know, thinking of my own area, that with Jobs Ontario they were able to find some money to continue until the end of June and beyond that they're not quite sure what they're going to do with finding any money. My understanding from talking with people at the local level is that many municipalities were faced with the same kind of situation, that they may like to provide it but would they have the money to actually find that 28% contribution for, say, Jobs Ontario or for other children who are applying for assistance, for subsidy. So in isolated areas, like in your area or in some other areas, it may happen, but not across the board.

With regard to the second question, I think one of the things we presented in here, and it affects all workers in early childhood education in Ontario, whether they be in for-profit or in non-profit centres, is that they have been underpaid over many years and the wage enhancement grant was a move towards bringing up the salaries to a more acceptable level. There has been more credibility to what early childhood educators do, to the foundation they provide for young children and the long-term benefits, and I think some of the figures and statistics that we provided need to be taken in terms of the long-term impact of what can happen.

So there do need to be some changes and I guess there needs to be a process by which we look at that area, but I think removing some of those enhancements for the early childhood area would in my mind be a backward step at this point in time. It would further erode the child care system, which has made some gains. It's given some more credibility to what early childhood educators actually contribute to the province.

The investment in children is something that our association feels very strongly about, and part of that investment is in what you pay the people who provide the quality service. So there is some differential that does need to be addressed and I think that's what your question is about.

I'm not quite sure at this point in time, and I would look forward to your invitation to be part of discussions in looking at how all of that can happen.

**Mr Agostino:** First of all, I just want to clarify the record here on what Ms Ecker said, that the cuts to municipalities were 44%, not 2%.

**Mrs Ecker:** Two per cent of overall municipal spending.

**Mr Agostino:** This government is not responsible for the property tax portion of it, so you don't roll that into your cuts. It's a nice myth that is being portrayed, and I sort of want to get it on the record: It's a 44% cut to municipal councils in transfer payments from the province of Ontario, not 2% in the overall budget, which makes it sound like it's a lot less painful for municipalities.

**Mrs Ecker:** Yes, it does.

**Mr Agostino:** It may sound good, but it's not true.

**Mrs Ecker:** Because that's what it is.

**Mr Agostino:** If I can just continue for a second, I think we talked about the economic impact that the cuts have. We're aware of the lost money that's generated in communities when day care is not available, the additional cost of social spending when day care's not available.

In your experiences, when these kinds of changes occur and when the lack of accessibility and affordable day care becomes an issue, which children are most affected and which type of families feel the most and are affected most negatively as a result of the type of changes and cuts that we're seeing?

**Ms Gallimore:** Children in poverty, children on welfare, children whose parents cannot afford to pay for the regulated care that is out there: nursery schools, early childhood education programs that are available to people who can pay the full fee. They're there, but we create a two-tier society by having children who cannot access those programs because they're not being provided at a fee where they can afford them.

**Mr Agostino:** We're aware of the impact that, again, it has on the business community, on the workforce, workplace, when these kinds of programs and reasonable funding is not available and reasonable subsidy is not available. Do you know the type of impact it may have, say, on the workforce as a whole or on businesses in this province when parents obviously can't get the affordable day care?

**Ms Gallimore:** Lack of access to quality care—to care of any kind—either forces a parent to look for informal, less expensive and not-as-good-quality care, unregulated care, the mom up the street who might provide something for you for cash under the table. But that is not going to stand these children in good stead if they don't have the access to the trained professionals and the regulated system that children of full-fee-paying parents do. So again we've got another two-tiered society, with kids who can afford it getting good, quality early childhood education and kids who can't getting who knows what. It may be okay, but there's no guarantee.



**The Chair:** Thank you very much for coming this afternoon, taking the time, sharing the information and providing the materials. I'm sure some of the members, if they wish, can pursue talking with you on a personal basis following the meeting.

ASSOCIATION OF DAY CARE  
OPERATORS OF ONTARIO

**The Chair:** Ladies and gentlemen, the next witnesses are representing the Association of Day Care Operators of Ontario.

**Mr Peter Knoepfl:** My name is Peter Knoepfl and I'm the president of the Association of Day Care Operators of Ontario, commonly known as ADCO, and with me this afternoon is Judith Preston, who is our executive director.

Just very briefly, ADCO has represented independent operators of licensed centres since 1974. We estimate that our sector currently constitutes about 500 operators, with a current licensed capacity of about 25,000 spaces.

ADCO believes the Harris government has made the right policy choice in its recent \$6-billion spending cuts. It is painful to withdraw funding from many areas, but in our opinion the threat to social programs is greater in not acting now. If government does not get the present deficit under control, increased interest costs will continue to erode future funding that is available from program spending. The clear evidence of the growing cost of debt in Ontario is that interest payments on the debt for the current fiscal year exceed the entire Ontario government budget for 1975. Faced with a \$9.3-billion deficit, spending cuts of \$6 billion over three years is not an excessive reduction, in our opinion.

**1640**

To attain this scale of budget reduction, every area of program spending needs to be considered, obviously. Therefore, ADCO does not believe, as other child care groups do, that child care should be exempt from spending cuts. However, reductions must be made fairly. ADCO has important opinions on the priorities for future child care funding in Ontario.

Ontario government spending on child care during the past four years has risen from \$350 million to \$525 million, an increase of \$175 million or 50%. In our opinion, a great deal of the increase was wasted: on the conversion program, on funding the startup of non-profit centres that were not required and on excessive capital projects. Given this background, it has become increasingly important to plan judiciously on reductions for the future. Such planning should aim to stabilize the child care system in Ontario.

Earlier this year, the government announced certain spending reductions for child care which we believe were reasonable decisions at the time.

The first was the cancellation of the child care conversion program, a program driven, in our opinion, by ideology. This program has cost the taxpayers of Ontario \$52 million to date, yet has not created one new child care space or one new child care subsidy. Continuation of this program was politically indefensible, in our opinion.

The second spending reduction was the elimination of the program development fund, which was used to

provide funding for the startup of new non-profit centres. It is ADCO's contention that the government should not be using public tax dollars to fund the startup costs for any sector of child care. We believe that such startup funding will be provided by the private sector, if the playing field is level, which at present it is not. In addition, the government could provide, as an alternative, a guarantee of low-cost bank loans for any licensed provider starting up if a detailed market survey showed the need for additional spaces in a given community.

The third reduction announced earlier this year was the conversion of 14,000 Jobs Ontario subsidy spaces from being 100% funded to being 80% funded. The implication of this was that municipalities would need to provide an additional 20% funding for the spaces to continue. When the decision was first announced in July, ADCO felt 80% support for the Jobs Ontario spaces was a reasonable level of commitment. Prior to the NDP's decision to fund these spaces 100%, an 80-20 split was standard, and continues to be standard for the other spaces. Alternatively, the government could have cancelled all support for these spaces, concurrent with the cancellation of the Jobs Ontario program itself. Since the decision, some municipalities have retained 100% of the spaces, being able to find their 20%, other municipalities have retained a portion of the spaces and still others have made the decision to phase them out.

The recent economic statement from Mr Eves exempted child care from direct funding cuts. However, the reductions in transfers to municipalities likely will cause significant reduction in fee subsidy spaces in some municipalities, including Metro Toronto. The main cause, of course, is a municipality's inability to fund its 20% share.

If we look at Metro Toronto specifically, the loss of the Jobs Ontario spaces will result in a phase-out of some 3,700 subsidized spaces in child care. There's also discussion at the municipal level that this reduction will be combined with a reduction of another 4,000 regular subsidized spaces in the upcoming fiscal year. If both of these changes occur—and they might—the overall impact will be a loss of some 7,700 spaces, or one third of all subsidized spaces in Metro Toronto.

One can appreciate that such a reduction in subsidized spaces will have a major negative impact on the entire licensed child care infrastructure in Metro. A significant number of centres probably will close. A number of parents requiring child care probably will leave the workforce for a poorer standard of living, many of whom will join an increasingly higher number requiring welfare assistance.

ADCO has suggested that Metro consider an increased user fee of 75 cents per day as a means of financing its 20% portion of the Jobs Ontario spaces. We have also written to Minister Tsubouchi asking that the Ontario government waive any clawback of user fees collected as a short-term measure to save some of these spaces. While ADCO fully supports this measure, some municipalities, specifically Metro, need additional help in order to retain the spaces. Judith?

**Ms Judith Preston:** Now our recommendations.

ADCO believes that in the future priority should be given to fee assistance for users as opposed to base funding for providers.

In the interim, we urge the government to equalize wage enhancement grants among all licensed providers and redistribute the funding package to ensure a more equitable use of available funds.

All wage enhancement grants should be phased out as soon as possible and the savings, less any direct spending reductions planned by the government for child care, should be redirected to enhancing fee assistance programs. Further, serious consideration should be given to providing at least some fee subsidies at little or no cost to municipalities in view of their tight fiscal situation in the next few years. For example, we recommend that the government consider moving to a 90-10 cost-sharing arrangement for at least a percentage of subsidized spaces. The savings to pay for additional fee assistance can come out of the wage enhancement program. This change could be made quickly and would save licensed spaces that otherwise will be lost forever in some municipalities.

ADCO believes the government should take steps to allow municipalities to recover increased costs through user fees without having the benefit clawed back.

The inequities that continue to exist in wage enhancements paid to the non-profit sector compared to the independent sector of child care providers cannot be defended. Staff in non-profit centres may receive more than \$9,000 per annum compared to slightly over \$3,000 per annum in the independent sector, yet both are equally qualified, work in the same licensed centre environment and do the same job. These subsidies are unfair to both staff and operators in the independent sector who must compete in the same communities. Also, new independent operators, and indeed all new operators, do not receive any wage enhancement grants. The playing field is not equal. The independent sector will not thrive without a level playing field. It is time for the government to end this discrimination.

ADCO recommends streamlining fee assistance programs. In Halton, a new fee assistance plan which would pay a standard set of fees to users within each municipality has been developed and will be implemented in 1996. This change will achieve significant savings in administration and it will be fair to all providers. It will also clearly establish fee assistance as a subsidy for the user, not the provider. It will allow providers to charge a top-up user fee in addition to what they receive from the municipality. It will encourage competition and, more importantly, parental choice in the child care market. This is one model which will result in cost savings and which has other advantages. It merits examination for more widespread use.

ADCO recommends that any voucher system, if implemented, must first be researched carefully to ensure that its features do not jeopardize the quality of the current child care system in Ontario.

ADCO prefers to see a streamlined fee assistance plan similar to the one in Halton developed province-wide, using the resources and expertise of the municipalities.

However, we are not opposed in principle to other ideas of streamlining fee assistance, including the so-called voucher system. In fact, the term "voucher" should be viewed as simply a delivery mechanism for fee assistance. What is important are the features or operating criteria surrounding the concept. In the current debate about vouchers, ADCO is opposed to many of the features which were reported in the press. The dollar values are too low, which will result in parents choosing the least expensive alternative available rather than the best in their circumstances. Also, there is concern about potential abuse which might occur if vouchers are not properly redeemed. Redemption should be limited to licensed providers.

All parents with low incomes should qualify for fee assistance using eligibility criteria similar to those used in the present fee subsidy system.

Child care fees are expensive and will continue to be so if we want to retain quality in the system. Fee assistance therefore should not be limited to welfare recipients, but also to those with lower incomes. Otherwise, we again will find parents in need of child care either choosing inappropriate arrangements, choosing an arrangement that they cannot afford or, more seriously, dropping out of the labour market and becoming statistics within the welfare program.

#### 1650

The cuts in direct funding of child care programs announced to date by the present government are not excessive, in our opinion. However, ADCO is very concerned about the funding of fee subsidies at the municipal level, given the sharp cuts in transfer payments to municipalities over the next two years. ADCO strongly urges the government to level the playing field of wage enhancement grants between the independent and non-profit sectors, and as soon as possible to phase out wage enhancement grants altogether. The savings from this program could be channelled into enhancing fee assistance. In the longer term, ADCO would like to see a streamlined, uniform fee assistance program developed for use across Ontario.

**The Chair:** First question. Margaret.

**Mrs Margaret Marland (Mississauga South):** I'll just get around to a microphone, since I'm here subbing.

**Mr Silipo:** You're always welcome here on this side, Margaret.

**Mrs Marland:** Actually, the last time I sat on a committee I sat in this location. But asking a question as a government member, I think the best example of what you're saying is an example in my own riding. I wondered if you would like to hear one minute and comment on what this example is.

I had a non-profit centre in my riding for six years, and in that six years, every year it had a tremendous deficit. At the end of six years, which was this year, their subsidy was over \$600,000. I'm not talking about wage enhancement grants; I'm talking about deficit funding. That centre closed in bankruptcy this spring with a \$78,000 amount owing to Revenue Canada. On the volunteer board of that non-profit centre, each individual member has now been sued by Revenue Canada or



served notice by Revenue Canada to pay that \$78,000 personally, the personal liability.

As someone who obviously for a long time has questioned the inequity—I mean, the presenters before you were talking about how wonderful the wage enhancement grant is to the people who belong to their organization, but I never, ever heard them fight for the same grant for the people who are also early childhood educators who worked in the private centres.

I'm just wondering what your reaction is to the fact that there is a concrete example that even with government subsidy, over \$500,000 for one centre, and it was a 60-child capacity centre, they ended up in a bankruptcy situation. Have you ever heard of such a situation in the non-profit centres?

**Ms Preston:** We've heard a lot of people talk about horror stories in the informal sector, but we've heard of a number of horror stories similar to what you're talking about in the non-profit sector. We feel the bottom line, I suppose, is that without the commitment that our operators have to the viable, fiscally responsible operation of the centre, sometimes it just is quite lacking and obviously resulting in deficits.

You're in Mississauga, but that's not the only place we've heard that sort of thing has happened. There was a similar one in Toronto a number of years ago and there have been a significant number over the last few years that have received moneys in what we term bailout funding, and it really is totally inappropriate.

**Mrs Marland:** Have you heard of a non-profit volunteer board being sued?

**Ms Preston:** No, that's the first one I've heard. I've heard of non-profit boards resigning en masse to get out from under situations they can see coming up and seeing the situation being untenable.

**Mrs Papatello:** Thanks for coming today to speak with us. Will you tell me if you feel that your organization members will benefit financially from what this government is currently looking at doing in child care? Will your organizations likely do better financially as organizations?

**Ms Preston:** In terms of receiving government money, no.

**Mrs Papatello:** No, in terms of overall.

**Ms Preston:** In terms of being able to develop their businesses, yes, because if the non-profit sector is not receiving \$45 million to start up new centres, we see a very, very vital role in the independent sector as our members being able to develop centres on behalf of the people of Ontario, making the investment and hopefully being able to develop a business that would be viable.

**Mrs Papatello:** Yet considering that 80% of the centres are currently non-profit and only 20% are for-profit, you're hoping that balance will change?

**Ms Preston:** In 1985, the split was 50-50. Due to government actions that were rather discriminatory over the last 10 years, the split has changed. The split has not changed so much from closure of—

**Mrs Papatello:** Just to be specific, Judith, the conversion actually was after 1993 that you're speaking of.

**Ms Preston:** Well, starting in 1990—there were actions right from the beginning, but the wage enhancement or the direct operating grant was started in 1987 and some other actions were taken prior to that with the coalition government between the Liberals and the NDP. We could go into the historical discrimination against the independent centre if you want, but I personally would rather look to the future.

**Mrs Papatello:** I just need to get my question in because I think the Chair is going to cut us both off.

**The Chair:** Right.

**Mrs Papatello:** Can you tell me if your organization is in favour of changes to the Day Nurseries Act? Peter, would you mind?

**Mr Knoepfil:** I think it's an area that we're certainly prepared to look at.

**Mrs Papatello:** The profession has already undertaken discussion in terms of changing or suggesting and recommending changes to the ratio of supervision for children, as well as those kinds of changes, the level of qualification for teachers. You are supporting that kind of move?

**Mr Knoepfil:** We made some recommendations based on ideas that were generated at our recent conference, yes, to the government.

**Mrs Papatello:** Do you think the recommendation of changes to the ratio so that you have fewer supervisors for children and a lower quality of teacher for those children would impact on the quality of child care that might be provided through your centres?

**Mr Knoepfil:** We didn't make any recommendations regarding changes to qualified staff. I think the recommendations were made in the areas of ratios and age levels primarily. You know, when you consider that in junior kindergartens across this province we've got a ratio for four-year-olds, for example, of one to 20 to 25, versus one to eight for the same level in licensed centres, I think there's possibly some room to move a little bit in terms of looking at ratios.

**Mrs Papatello:** Would the changes in the ratio actually help with the bottom line in your centres, those changes to the act which you're proposing?

**Mr Knoepfil:** What I think it might do is that it might help to alleviate some of the loss of wage enhancements if in fact those are lost. So it will—

**Mrs Papatello:** And so you impact on your bottom line by those changes?

**Mr Knoepfil:** It will help those non-profits that are going to lose the most in wage enhancements.

**Mrs Papatello:** For-profits would benefit by the changes you're proposing by improving your bottom line?

**The Chair:** Mrs Papatello, that's about five questions. I'm sorry.

**Mr Knoepfil:** I really can't answer that because I don't know what that will do and I don't know what the ratio changes might be.

**The Chair:** Thank you. Mr Silipo.

**Mr Silipo:** Thank you, Mr Chair. The first of my five questions—no, no. I really just have one question.

First of all, I was very interested in seeing in your summary, and I'm sure it didn't escape the government members, that you categorize the cuts in transfer payments to municipalities over the next two years as sharp cuts and not as minor nuisances, which I think is the way the government members have been trying to categorize them.

But I wanted to sort of come down to the basic point that I get out of your presentation, because we obviously have a fundamental difference of opinion, and I know we've had a chance to discuss this in the past, in terms of child care funding in the for-profit versus non-profit. But you do acknowledge and you do point out in your brief that the cuts in the Jobs Ontario spaces will cause significant hardship in the sense that a number of centres—you used the Metro Toronto example—will have to close, probably forever, “a significant number of centres,” to use your words in here, and that even if there was agreement to do the increased user fee, that that would not save those centres. So the cuts, you're saying, are going to have a pretty significant effect at least in this area of the province, and likely in others.

But your solution, it seems to me—and this is what I want to get at, because as I look at the brief and bring it down to what I think you're essentially saying, when you talk about levelling the playing field, what you're talking about essentially is lowering salaries of workers, because that's what the elimination of wage subsidies would, it seems to me, do. It would mean that it would bring what are already low wages of people in the sector down, albeit to a comparable level perhaps to what you're offering people who work in the for-profit centres. But that, it seems to me, is what you're suggesting is going to be the basis of the solution here, bringing low wages down even lower, and that's the way we're going to save the child care system in the province. Have I misunderstood you?

**Ms Preston:** Yes, you have. It's not the first time. We would prefer, Mr Silipo and other members, that you refer to our centres as “independent,” not “for-profit.” That is a term that has been used to be derogatory and we would much prefer the term “independent” or “private,” if you don't mind.

1700

**Mr Silipo:** Mrs Marland used the same term, I would point out to you.

**Mrs Marland:** No, I said “private.”

**Mr Silipo:** I thought you said “for-profit,” but I'll check.

**Ms Preston:** We believe that without wage enhancements and with possibly an enhanced fee assistance program, using some of the money to enhance the fee assistance—you know, quite frankly, money has been thrown at the child care system over the last four or five years in increasing amounts and yet we still result in centres, like Mrs Marland mentioned, with a \$600,000 deficit. There is plenty of room in child care to run a good, quality program, to pay your staff very well and to have excellent care for your children and still balance the centre's budget without resorting to major handouts from

the government. It is time that the non-profit centres learn to do that, and we're quite willing to help them learn how to do this.

We're not saying that staff salaries should go. We have made some valid suggestions to be able to handle maintaining salary levels. Very possibly, yes, some people might have to lose some of their income. This has happened in every other sector across the province, Mr Silipo, except in child care, where we've increased and increased. It is time that we even the playing field, that we become fiscally responsible, that we balance the books and that viable centres stay open and provide the service. If a centre is not viable, yes, indeed, maybe unfortunately, some of them will close, but if they're not financially viable, if they can't provide the service, maybe they need to bring in some management that can do it.

**Mr Silipo:** I would be actually quite interested in perhaps getting from you then some information in which you could show us what in fact, in your view, makes the significant difference between a good—and I will use your term—private centre, in the sense that one is being, as you describe it, well managed and not running into problems, and a comparable one in the not-for-profit sector because it seems to me that the essential defining difference at the end of the day is the amount of money that you pay people who work in the centres. Because I can't think of too many other variables, although I'm sure there are other variables, that significantly change the picture from a well-run non-profit centre to a well-run private centre.

**Mr Knoepfl:** If I could respond to that for a minute, I think the other key variable you haven't mentioned is management. A committed independent operator who is on the scene, working day in and day out, in their centre, as we and many others I know about are, provide substantial management expertise which helps to run the business the same as any other business. It seems to me that throwing dollars at staff doesn't necessarily guarantee higher quality.

What we're talking about in here is a market-driven system where you subsidize the user, not the provider. Let the user make the choices. Let the parents decide where they want to go. If centres can prove that they can offer higher quality than other centres, presumably then they can charge more and they can afford to pay their staff more. That's the way the system works in many, many other sectors of the economy that we have and that's what we're recommending here.

**The Chair:** Thank you very much for joining us today. We appreciate your comments. You might want to take the member up on his suggestion and provide him with further information.

Now, if I could remind the committee that in a 125 essentially it's a time allocation of a total of 12 hours. We had selected a certain number of witnesses. We're behind in our time, as you can see, by eight minutes, so we'll try and pick that up as we hear witnesses, by giving them each maybe 29 minutes or something of that nature. But I hope you'll bear with me. For those of you who are new members, it's not any attempt to cut off people, but it's to try and live within the time allocations that we

have for each person and to be fair to each side in terms of a reasonable amount of time to ask your questions.

**Mrs Marland:** For that reason, Mr Chairman, I would like to thank the indulgence of the committee. I was asked to be here while some other members were trying to get here in the physical sense, due to the weather, and I thought it was kind of you to let me ask my question.

**The Chair:** No problem; always a pleasure.

Mr Gravelle, do you have a motion?

**Mr Michael Gravelle (Port Arthur):** Yes, Mr Chairman. At our subcommittee meeting last Wednesday, December 6, I think it was, we completed our list of original selections for coming to the committee. Three of those were selections from people who do reside outside Toronto and would need some travel. The subcommittee met and agreed that indeed, because of the nature of this issue, we did not want to simply include only those who were within driving distance. There was a certain agreement that we should allow people to make representations from outside. The whips subsequently spoke to their party members on the committee and agreed that, presuming that we kept the cost down, there was a sense that it was a good idea to give the opportunity to broaden the appeal. So I've got a motion here that I'd like to make, if I may.

I move that any requests for travel expenses be forwarded to the subcommittee for its consideration and that approval of these expenses be limited to transportation at the most reasonable and affordable cost and that all requests must be considered prior to the appearance before the committee.

**The Chair:** Comments?

**Mrs Ecker:** Did you limit it to the witnesses who are appearing?

**Mr Gravelle:** Yes.

**Mrs Ecker:** You did? In the wording?

**Mr Gravelle:** That was the intention, obviously, to limit it to the witnesses. You're concerned about more than one being included?

**Mrs Ecker:** Yes.

**Mr Gravelle:** Yes, certainly. I mean, we discussed this too already. In each case, there would be only one witness per group, to limit the cost. That's not in here; I can certainly put it in.

**The Chair:** If we can take your suggestion and work that into an amendment, we'll show it back to you, in the interest of time. Okay. So that one would be carried. Motion carried. Thank you and we'll adjourn.

*The committee adjourned at 1707.*











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Froese, Tom (St Catharines-Brock PC) for Mrs Munro

Pupatello, Sandra (Windsor-Sandwich L) for Mr Gerretsen

Silipo, Tony (Dovercourt ND) for Mr Laughren

Wood, Bob (London South / -Sud PC) for Mr Preston

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## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 12 December 1995

# Journal des débats (Hansard)

Mardi 12 décembre 1995

**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Children's services

Services à l'enfance



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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENTCOMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Tuesday 12 December 1995

Mardi 12 décembre 1995

*The committee met at 1533 in room 151.*

## CHILDREN'S SERVICES

**The Acting Chair (Mr Mike Colle):** If we could bring the meeting to order. This is the standing committee on social development, Tuesday, December 12.

ONTARIO ASSOCIATION OF  
CHILDREN'S MENTAL HEALTH CENTRES

**The Acting Chair:** We have deputants with us from the Ontario Association of Children's Mental Health Centres. We have Larry Elmer, president of the board of directors. Larry, welcome. Sheila Weinstock—Sheila is over there—who is the executive director, and Marian Archibald, the parent board member. We have a fourth deputant—

**Ms Jeanette Lewis:** Jeanette Lewis. I'm the executive director of Kinark Child and Family Services. We're one of the service providers in the mental health centres.

**The Acting Chair:** Welcome, Jeanette. We can start with the presentation. I think you're aware of the time limits, and you can just get right into it.

**Mr Larry Elmer:** Thank you. We're pleased to have an opportunity to speak to this committee this afternoon about children's mental health and the impact of government decisions on children and families.

Ontario has a complex web of services and programs, both voluntary and public, and it is no surprise that changes in any of these have profound impacts on the others and on the network as a whole. It is an important but difficult task to understand the interrelationships well enough to predict these impacts so that reasonable planning can occur.

Services for children with mental health problems have never been on the public agenda. While the health and education of children have always been topics of public debate, children's mental health has traditionally been treated as if it were a private matter. We know, however, that the mental health of children and youth directly impacts on the quality of life, the safety of our schools and streets and the future costs of health and correctional services. Now is the time to acknowledge the importance of the mental health of our children to the overall health of our population.

Government decisions are being driven by the future economic viability of the province and we are here to emphasize the fact that it makes economic sense to invest in children's mental health. The children of today will become the workforce and leadership of tomorrow, and if they are to succeed in those roles they will need to be confident, flexible and adaptable. It is incumbent upon us

to provide them with the resources they need to develop those skills: good education; effective, affordable health care; and access to supportive programs to help them deal with mental and emotional problems which would otherwise impair their capacity to learn and develop. It is critical, therefore, despite restraint and cutbacks in public funding, that we continue to invest in the mental health of our children.

We must do all we can to enable our young people to overcome mental health problems so they are free to focus their energies on growth and development. Family breakdown, school failure and criminal behaviour are all costly social problems and are linked to mental health problems and traumatic events in childhood.

Province-wide about 85,000 children are served by children's mental health centres annually, most of them as outpatients in community clinics or in their homes. Many are involved in day treatment programs which combine treatment and classroom learning, and some require treatment in a residential setting.

The impact of these programs is being monitored by an outcome measurement system designed by professionals in our field. We know that the children involved with children's mental health centres have extremely high levels of emotional disorder and that treatment of children in children's mental health centres is associated with a substantial reduction in these disorders. For example, the severity of disturbance in children entering residential treatment only occurs in one child in 10,000.

Children come to children's mental health centres with conditions that are serious and which are unlikely to improve without treatment and would likely have long-term personal, family and social consequences. These are the children who overburden teachers and cause chaos in the classroom. They stress their parents to the breaking point and contribute disproportionately to the violence in our communities. All too often, their problems explode into our headlines.

By providing help to these young people as soon as their problems are identified, we give them a chance to turn their lives around and become contributing members of their communities.

In view of the importance of this function to our society, children's mental health services are exceptionally good value for funds invested. In 1994, the cost of providing service to 85,000 children in 95 children's mental health centres across Ontario was less than the budget of one large urban teaching hospital. Children's mental health services are community-based and the



majority of the children are served as outpatients in community clinics or in their homes. Day treatment, residential services and prevention programs are also offered and the average annual cost of service in the children's mental health centre is \$3,000 per child.

The cost of this treatment needs to be compared with the cost of not helping troubled children and their families. Children who do not get the help they need are likely to require more costly services as adults. It costs \$45,000 annually to keep an offender in prison.

Faced by diminishing resources over the past years, children's mental health centres have been forced to release staff and shut down programs, all of this occurring when the demand for service has never been greater. Universal accessibility is no longer possible for these seriously challenged children.

#### 1540

It must be recognized then that fewer services and fewer options are now available to children. The cumulative impact of reductions across ministries is creating a truly alarming shortage of supports to children and families. The Ministry of Education and Training and school boards have been cutting back on support services to children with mental health problems in the schools, and recent reductions will likely increase this trend. This will place enormous pressure on teachers, who have an obligation to provide the best education they can for the majority of students. The Ministry of Health funds children's mental health services through some 30 hospitals, but there is no consistent approach across the province. Recent announcements to reduce funding to hospitals may very well affect these programs, since they have not been a priority for that ministry.

Public health and other programs which support children are funded through municipalities, but this varies across the province. Many voluntary agencies providing important counselling and community support programs for children have been dependent on municipal grants. All these will suffer as a result of announcements of downloading.

The cumulative result of all these changes is that families, schools and physicians who are searching for help for children with problems will find fewer and fewer resources. Children's mental health centres under the Child and Family Services Act offer such a resource, but they too are at risk.

The Ministry of Community and Social Services is struggling with how to continue to fund children's mental health services, which incidentally are not mandated, in a ministry facing major financial pressures and already carrying the legislative mandate for social assistance, child welfare and young offenders. They are in the process of defining their core services and restructuring plans and we hope that you will join us in urging them to retain children's mental health services as a distinct function.

Treatment services to children with emotional and behavioural problems must not be allowed to inadvertently disappear, only to be re-created again at a greater cost in response to a public crisis.

Funding decisions are being made by all these ministries in isolation from one another and this means that the cumulative impact of these decisions on the overall children's mental health service capacity cannot be planned or predicted. Efficient and effective coordination is currently impossible. With their narrower focus, each ministry is leaving children's mental health services to the others, but there is no one there with the mandate to take responsibility.

There are two fundamental problems which make effective planning for children impossible, and both need action from the provincial government. Firstly, there is no mandate for children's mental health. Secondly, there is no one minister responsible for planning the services or accountable for their overall impact.

There is no legislation which mandates children's mental health services in Ontario and not one department in the entire government which claims children's mental health as a priority. Our children's education is assured through the Education Act, and their physical health through our health care system; however, there is no parallel mandate for the mental health of children. Government must leave behind the silo mentality and create a comprehensive system capable of planning and coordinating all children's mental health systems and services. In the case of children's mental health, restructuring is not the issue, but rather structuring for the first time all children's mental health services under a single authority.

I conclude with three recommendations to government:

First, invest in children's mental health; our future depends on it. This means thinking very carefully when defining core services for any ministry. Children's mental health must be retained as a distinct function and not be allowed to inadvertently disappear as each ministry narrows its focus to meet its stated priorities.

Secondly, give children's mental health centres a mandate to continue their work.

Thirdly, make a single cabinet minister responsible for planning children's mental health services across the government ministries and accountable for their overall impact.

**Ms Sheila Weinstock:** Mr Chairman, now Marian Archibald would like to say a few words as well. Marian is a member of our board.

**Ms Marian Archibald:** I'm sorry that you don't have a printed text in front of you. The fact is that investing in children's mental health and ensuring that children's mental health services do not disappear makes good economic sense for Ontario's future, and what I want to do is deal with the three recommendations that you've just heard and relate those to personal experience and put a human face to these families and children who use these services.

It's an overused phrase that children are our most precious possession, not in a material sense but with regard to the care and nurturing with which parents and society have been entrusted. Those who have had the privilege and responsibility of raising children know that in order to see them progress and develop into mature responsible young adults, there is nothing that we would

wilfully choose to deny our children. For some parents, this awesome and challenging task takes on a more critical dimension when they have a child with emotional and behavioural difficulties when, among other siblings, there is one square peg for a round hole.

To the uninformed or untrained eye, this child is seen as demanding, disobedient, manipulative or strong willed or, in some cases, all of the above. To the uninformed or biased eye, the child's parents have poor management skills or have become overwhelmed by their financial or marital status. While these external circumstances often exacerbate a condition, they are rarely the sole sources of what may, in reality, be a pre-existing condition. When parents and children encounter such a challenge, they eventually turn, and in ever-increasing numbers, to children's mental health centres which provide an essential and invaluable component in helping families achieve their goals.

With regard to the recommendation of the need to mandate children's mental health services, it's recognized that the need to reduce the deficit through extensive cost-cutting measures has placed many programs and services in a vulnerable position. Those who need children's mental health services encourage the government to consider mandating such services.

You may ask: Why mandate children's mental health? Shouldn't it be kept something private? There was an era when government did not see itself as the guardian for the education, physical health and protection of its children, but over a period of time measures have evolved to ensure the delivery of these necessities of life.

Children's mental health care has not been widely publicized for many reasons that I would like to highlight.

First, the source of emotional and behavioural difficulties is invisible. The skull hides more than the cranium. However, the symptoms of these difficulties are manifested in anger, aggression, anxiety, depression, frustration, impulsivity, inconsistency, violence and wilfulness. When such symptoms are acted out they rarely engender compassion and deeper understanding, hence the tendency to keep these things private and within the family.

Second, it is easier to allow a service to slip through the cracks when it deals with something which is hidden or invisible. How can children suffer from conditions usually relegated to the adult domain? Few mental health problems appear in full bloom when a child reaches the age of majority. Just as the once widely held concept that infants could not feel physical pain has been disproven, so medical and social research is continually confirming the fact that children as young as two years of age can suffer from emotional and behavioural difficulties. And "suffer" is an accurate verb, because as these children grow and develop, everything, both inside and outside the family structure, is affected.

Children's mental health services provide support to children and families facing these challenges, and assist and enable them to manage in circumstances that could overwhelm most people. Families who use these services are fearful that if children's mental health services are not mandated it will be more difficult and in some extreme

cases impossible to raise mature and responsible young adults.

With regard to the third recommendation, you may well ask that if children's mental health services are mandated then why is there a need to recommend that one minister be responsible in cabinet for children's mental health services across government ministries, and why should he or she be accountable for the overall impact of these services.

The answer is quite simple, although no one would dare to suggest that the solution will be equally simple. The reason is that emotional and behavioural difficulties affect more than one area. If a child has a learning disability which creates a loss of self-esteem and encourages harassment among peers, that child will feel frustrated and hostile and/or depressed, or a combination of all three, and the child, the school, the peers and the family will all suffer.

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More than one ministry would likely be involved with education and perhaps a social worker. If it is a condition that would benefit from medication, then the health care system comes into play. This is one of the simpler scenarios and yet it crosses the responsibilities of three ministries. It has been a long-time concern of families that there be an increased accessibility and greater cooperation among the ministries that deal with children's mental health.

For a child with emotional difficulties to experience their greatest potential, which requires successful management of their condition, at least four areas need to be involved: a caring and nurturing home environment; a supportive school system; medical attention is required through pharmaceutical management and/or psychiatric care, and counselling or therapy is needed through a children's mental health clinic or centre.

In order to ensure that these children receive the support and care they deserve, the government needs to take steps to effect greater efficiency, cooperation and above all accountability. One minister with responsibility for children's mental health services would be a start in the right direction.

**The Acting Chair:** We want to turn to questions now.

**Mr Tony Silipo (Dovercourt):** First of all, let me just say that, as we heard yesterday from some of the presentations, this presentation has been quite useful for us as a committee. I want to get right to the question. We heard yesterday from your colleagues in the children's aid society sector about the real danger the level of cuts the government is implementing would cause. I think the words "being at the brink" for some societies and "being beyond the brink" for others even at this point, and others expected to be at the brink, were there. Now we understand that one could argue there's a difference in terms of the legally mandated services and that obviously one of the arguments you're making is that there is a problem in the area of children's mental health services in that it is not a mandated service. But in terms of the kinds of services you are providing and the needs that are out there, could you just perhaps tell us a little bit more



about what these cuts are going to do in terms of your ability and the ability of the agencies that you represent to take care of this group of young people?

**Mr Elmer:** I wonder if I could ask Jeanette Lewis to comment on that. She is the executive director of our largest children's mental health agency and has undergone a series of impacts.

**Ms Jeanette Lewis:** The expression that a strong children's mental health centre also makes for a strong children's aid society comes to my mind immediately, because the services are really quite interdependent and that if the children's mental health services are not present in a community and functioning well in concert with the services of the children's aid society, then increasingly the children who would come to the voluntary agency, brought by their family and supported by their family, fall through the cracks. The family gets increasingly frustrated, falls away from the child, and the child then has to come into the care of the children's aid society, which is much more intrusive for the child, for the family, and much more costly in terms of the resources available in the system. So that's perhaps the simplistic answer to your question, Mr Silipo, but the two services really go hand in hand and likewise probation could also be added to that because probation services are often interdependent with children's mental health services. So sometimes to take one part out and look at it in isolation is not possible.

In terms of the specifics about the cutbacks and how they've affected the children's mental health services, it's been pretty much community-specific. Some agencies have managed the cutbacks on a fiscal basis and are now making longer-term plans. Other agencies have had to cut service, because most children's mental health centres function with very low overheads. So when there's something like a 5% cut it does have to be taken away from staff and from service.

**Mrs Helen Johns (Huron):** Thank you very much for coming. I appreciate it. I know you people do a great deal to market the issues to us and we appreciate the time you spend with us, both individually and in a group like this.

I have a number of documents from your organization, from the time that I met you and also from the time that—I guess I'm on a mailing list now—and I just wanted to ask you to comment. I have the one that's called Children's Mental Health: An Urgent Priority for Ontario, and basically I wanted to ask you to comment on one line that you have in this issue, and it says, "Healthy child development is directly linked to the economic health of society." Can you comment on that and tell us what you were thinking you were meaning by that when you wrote that article?

**Ms Weinstock:** I guess it also connects with some things that Larry mentioned earlier in that the expenditure on children, when they're young and when their problems are more easily dealt with, are minor compared to the kinds of problems that result if they don't get the kind of help they need. When, for example, there are problems in the school, there's violence in the school or later on

problems in the correctional system, the costs are much higher.

**Mrs Johns:** So when you were talking about economic health of society, you weren't talking about a sound government economy. You weren't saying that if society is strong and, in our words, balanced or healthy—that's not what you were implying.

**Ms Weinstock:** Another component, of course, is that in order to make contributions to society as adults, we need to have children who are strong and who can think clearly, succeed in school and be the kind of creative individuals we're going to need. That's the kind of issue we're referring to.

**Mrs Sandra Papatello (Windsor-Sandwich):** To recap the presentation from an economic point of view then, you would say the maximum cost in social spending, if you're not assisting children with these mental health services, would be upwards of \$45,000 for jail, for example, when you don't help the children. Another economic position may be that if you spend \$1 in these child services, you would save \$7 in later social spending. Another economic argument would be that the total 95 centres in Ontario spend less than the Toronto Sick Kids' Hospital of some \$500 million. That would be probably be a good economic argument for supporting the 95 centres.

Let me ask you, if you had to have your current levels of funding held because of all of the various agencies that I've seen with this silo effect you speak of, perhaps, Jeannette, you could give me an example of the kind of prohibitions in place now in regards to funding, that if you could ask for various changes in regulations, you could use your resources even better.

My fear of course, and those from our party, is that the \$1.1 billion in cuts announced in the last economic statement—they don't identify where those cuts will come and, because they're across ministries, we understand that they likely will be cuts in areas that are not mandated by government to provide, and naturally children's mental health agencies fall within that. We are not getting any response by government that that won't happen. So if we expect that to happen, can you put forward an argument that you can do even better with current levels, that it would be devastating to have even a reduction as you've had over the last few years?

I guess the last point I'd like you to make is your argument that government members have put forward, that you, like many other groups, don't want to be cut. How do you rationalize that you shouldn't be? When we're cutting everywhere, why should you be any different?

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**Ms Lewis:** In terms of doing better with current levels, one thing comes to my mind immediately and that is rather than a budget year window of one year, if we had some indication of what the funding levels would be for a three-year period, I think there could be a much more stable kind of planning. I realize this is difficult because it's very hard to predict what government revenues will be for three years, but a longer planning



cycle would be very helpful. Now this is in terms of current resources.

The other thing that I think should be put into place would be some incentives for efficiency in terms of the provision of these services. It has seemed, from a service provider's point of view, that regardless of whether the organization is performing well or performing at a mediocre level, the same funding flows. So it would seem that some incentives for targeted service provision for achieving good levels of effectiveness and cost-efficiency should be built in. I mean, usually that's there in any provision of service.

I think the other thing in terms of the argument about why this shouldn't be cut is that perhaps this is the argument that was starting to be put on the table before, that from a pure economic point of view these resources are being invested in creating taxpayers. If you think about it that way, the long-term effect is that we're creating taxpayers through the work of the 95 children's mental health centres, rather than creating a population that will be increasingly dependent on resources. That would be the economic argument, if you want to put it in terms of kids. It sounds crass, but that's basically what we do. We're taking government resources now and investing them in kids, hopefully in a targeted way, so that the end result is that we will have people who are able to contribute to the system and make a contribution to society.

**Mrs Pupatello:** In fact, over the last several years you've moved the kind of treatment for children—

**The Acting Chair:** Wait a minute; I haven't recognized you. We just have another brief question; our time is almost up.

**Mrs Pupatello:** Thanks. With the move into the kind of treatment you offer, in fact you're serving more children by better means and moving the therapies to the family, as opposed to pulling the children out, so you are actually serving more with the same amount, or less, of funding. So you would perceive that even if you were held at current levels, given the change in the way treatments are coming around, you would actually be able to service even more children with the same levels; do you think that's so?

**Ms Weinstock:** Perhaps I'll start and, Jeanette, you can pick it up. I think that is true. Some of the agencies are reducing the number of beds they have, but certainly, in an attempt to live within budgets, many new and more effective approaches and methodologies have been developed. Agencies are working with groups of children. They're doing briefer kinds of interventions. They had historically long waiting lists, and many still do have waiting lists, but the children on the waiting list are being worked with more quickly and those who don't need as intensive work are being worked with in a more brief, less intensive manner, and alternatives to residential programs are being developed as well. Jeanette, do you want to speak to that one?

**The Acting Chair:** Sorry to interrupt. Thank you for coming, but we're on a really tight time frame here.

#### FEDERATION OF WOMEN TEACHERS' ASSOCIATIONS OF ONTARIO

**The Acting Chair:** Next is the Federation of Women Teachers' Associations of Ontario, Sheryl Hoshizaki and Joan Westcott. You can begin at any time, get right into it.

**Ms Sheryl Hoshizaki:** I am Sheryl Hoshizaki and I'm the president of the Federation of Women Teachers' Associations of Ontario. We represent about 41,000 women teachers who teach in the elementary public system in Ontario. With me I have Joan Westcott, who is the executive director for our organization.

What we would like to present to you is our brief on the impact of the government's funding cuts on children and children's services. It's a fairly extensive brief. This is it; this is what it looks like. This is my teaching tool today. I won't read it, because I can assume everyone can read, since most of you were probably educated in the public system.

What I would like to draw to your attention though, before I present, is a document of the standing committee on social development which was presented before the Legislature in 1994, at that time, by Charles Beer. This is what that document looks like, and I bring it to your attention because I want to also bring to your attention a recommendation. There were several recommendations, but most importantly, one of the recommendations that the committee brought forward was number 8, and that is, "The province must ensure that vital children's services are adequately and stably funded."

We can go through these committee processes and you can have people from communities and organizations present to you day after day, and month after month, and year after year, and we can go through different political parties; in essence, we're going to find that the same result is going to emerge from these hearings.

As an organization, we take time to do a lot of work on how we function within communities as teachers and as people who work with children. We are basically a classroom teachers' organization and therefore we recognize and witness children who come to us who live in poverty and the impact that has on their lives. In fact, we have a teacher who has stated: "Children are coming to school hungry at a time when everyone wants us to return to the basics. It appears food is a basic need for learning." This is an elementary school principal from Bruce county, actually.

We see children coming to school without enough sleep, without physical or emotional security in their lives. We can see this in their eyes. These children cannot concentrate enough to hear what we are trying to teach them. How could they concentrate when they are suffering more stress than any adult should ever have to face? Because, you see, poverty strips human beings of dignity, poverty robs these children of their childhood and of their future. In fact, it has been stated that "poverty is deprivation."

This province has the means to eradicate child poverty and to give all children an opportunity to develop to their full potential, for their own sake, for the sake of the whole of society and for the sake of the economy. But

what is really needed is the political will to accomplish this. We feel it is incumbent upon us to help to create this political will.

We're not here to have a debate over whether or not the deficit should be dealt with. That certainly is not our area of expertise, but we will not argue that in fact it should be dealt with. However, we believe there are two parts to the deficit, that of expenditures and that of revenue, and that both have to be considered in dealing with the government cuts.

What we would like to say as educators is that we're not any different than students in that what we want is fairness, and we believe what is happening, and has happened in the past, is dramatically unfair. For example, just the opportunity to present today: We were not given a lot of lead-in time. We were given a week to present a brief to this committee. I think a week is just somewhat inadequate in dealing with the future of children for the province.

What we would like to talk about, and I don't think it's new news today, is junior kindergarten. Junior kindergarten is an early childhood education program. What it is in a program is opportunity, equal opportunity for young children. We've done a lot of work in this area to find out the impact on an early investment in young children's lives and how that then gives us our response in future years of their lives.

It has already been stated, as I was listening earlier, that the \$1 investment in early education gives a \$7 return. It has not only been evidenced in Alberta, which had cut its kindergarten programs from 400 hours to 200 hours, with most recent research, but also the research that has been done quite extensively in the United States and certainly, in particular, in Michigan where the Perry Preschool program, which was published in 1985, demonstrated that the early investment in young children certainly was returned in the cost of adult education, because it was reduced dramatically. There was less juvenile delinquency and crime, and the cost of welfare payments and, in this case, medicaid expenses was reduced by a substantial amount. This is obvious evidence that an early childhood education program is one of the best investments a society can make.

**1610**

The thing that we have learned as teachers about early childhood education is that we've learned a lot more about learning in the last few years—maybe not as much about teaching, but certainly about learning how children acquire knowledge, how they learn, how they prepare to learn to read, how they learn about numeracy. Because we know that, because we now have that information, we're able to identify early in a child's school years whether or not they're going to have some difficulties. When we can identify it when they're very young, we can help and assist children and support them into getting back on track and in preparation of the readiness skills that are needed for children in learning to read.

These are the great advances that we've made in education in the last five years. We call it early identification. It's not necessarily that we stream children into labels, but we have the opportunity to give them, as this

government has stated, that hand up in education, to give them that opportunity to get on track to learn to read. So early identification in early childhood education is a very key component of opportunities for children in early childhood education.

Within the brief there's other documentation of European studies and the importance of investment in early childhood education. What is really interesting, of course, is that Europeans do not look upon early childhood education as an add-on; they see it as a very important and integral part of their education program. I think that they are not at the stage in which they're debating whether or not it should exist but how in fact they can invest more into it.

We also, as an organization and certainly as teachers who work within communities, know that we don't exist in isolation. All cuts in education have a dramatic affect on us, but certainly so do the cuts to municipalities or to health care. I would like to refer to the dramatic cuts that will occur under the omnibus legislation in municipalities.

Many people who have visited schools certainly will recognize that there are programs that exist within the schools that are dependent on what we refer to as reciprocal agreements within communities; that is, before- and after-school programs for care of children, recreational programs, information-based programs are all within and funded through reciprocal agreements with municipalities, with recreational departments. Drastic cuts in this area really will change significantly the quality of life for children in schools and in communities. What we're here to define for you is that these relationships are very key to the community life within schools for children and that anything that happens within municipalities has a direct impact in schools.

In addition to that are the cuts in welfare. I'm sure that some of you would be aware that we as an organization were granted intervenor status in the welfare cuts. We participated as intervenors in the welfare cuts because we are committed to the necessity of what we refer to as the basics for children in opportunities and education or in a future for children in Ontario, those being adequate shelter, adequate food, adequate housing and a stable family life. For that reason, we believe that a substantial decrease, which would be approximately 21%, would have a drastic impact on a child's opportunities in Ontario.

Further in the brief there's an outline on the cuts to health care, and although \$2 may not seem like much to most people, and certainly not much to people in this room, \$2 within a family structure that is dependent on \$2 for food or for any additional basics within the family is quite obviously dramatic in terms of quality of life. We would oppose serious cuts in health care and serious cuts to municipalities, because we see it as a combination of the quality of community life for children.

In the area of child care and child care subsidies, when we talk about junior kindergarten we don't talk about it only as early childhood education, we also talk about it as a place for young children to be. I have visited places within the province where if junior kindergarten does not exist—and I will go further into junior kindergarten



because I think there has been this idea that somehow junior kindergarten funding has not been cut. However, we know that if you're living within a community, and I take Sudbury is an example, and junior kindergarten cannot be provided in September because (1) it is already being presented as an optional program, (2) it is being reduced to rate of grant and (3) there is not the adequate and appropriate transportation subsidies that are necessary to transport young children to their places, then in fact you have approximately 446 young children three to four years of age with no place to go in September.

That obviously has an impact on the care of young children within communities. What alternatives do families have? One of the most dramatic statistics that I have certainly learned about in the last five years is that it wasn't long ago that we recognized that one parent within a family or one adult within the family was at home. In fact it was in 1964 that 74% of the families had one adult living at home.

In 1991 that was reduced to 12% of the families having one adult at home. That is an incredible change in the culture within any society. That is not for judgement, I don't think, for anybody to state, but it really is an adjustment that a society has to make to accommodating young children.

In addition to that, we see that the cuts in the areas of the Ontario Science Centre, for example, and Science North, the Royal Ontario Museum, the art gallery, libraries and all those things that make Ontario and give Ontario the identity for young children will severely impact on the programs that are provided for and available for young children.

I guess what we're saying, in essence, today is that none of us lives and exists in isolation. Certainly we don't in education; we recognize that. Because of that, we care about the communities in which children certainly live and learn and the communities in which adults work and exist. For that reason, we're here. I guess we're appealing to you as a committee to say to this government that the cuts have been too deep and too fast. We can talk about restructuring, reconstituting and rebuilding, but we can't do it if you dismantle at a speed at which we have no opportunity to manage the support systems that are needed for children and for families.

We believe the cuts that the Conservative government is making will affect everyone in this province, but none so deeply as the children. These cuts are tearing the fabric which holds this province together. This fabric ensures that communities can support its families and thereby its children in a compassionate and a wise manner.

It is terribly shortsighted to cut off such vital services in the name of fiscal restraint. It is even more foolish to do so in order to provide tax breaks to the wealthy. We either pay now or we will have to pay a lot more later. We must start saying to our children that they are important too. We must start believing that our actions speak louder than our words. Thank you.

**The Acting Chair:** Question, Ms Munro?

**Mrs Julia Munro (Durham-York):** Sure. Because you represent, obviously, the women teachers of Ontario, I was just wondering how you see your role as teachers in responding. A number of the things that you've

mentioned obviously are outside your particular area of responsibility as classroom teachers, and I just wondered what comments you had to make in terms of how you see your role in this kind of climate.

**Ms Hoshizaki:** I had hoped that I had actually explained that and I apologize if it wasn't really clear, and that is that our responsibility, when you say "as teachers," is not in isolation. It's not to just teach children in preparation for the big political debate of whether it's for work or for life or whatever but in fact that we don't exist in isolation. So the impact that any government makes on children or on families relates directly to classrooms. I thought I had outlined that quite specifically.

For example, in the area of municipalities, if transportation is cut quite dramatically in a city or a small town, or I guess a larger town, in the case of public transportation—some children use municipal transportation to get to school, other children depend on subsidized school board busing. If transportation is cut back in both areas, then children and families have different ways in which they're going to have to get to school. So it doesn't function in isolation. There are all kinds of reciprocal agreements within municipalities, within school boards, within other ministries that exist within the life of school.

**1620**

When you say, what is our responsibility?, we could live quite separately as teachers and say that our only responsibility is to teach children in classrooms and it doesn't really matter what happens out there. However, we know it's not like that, because what children bring to us within schools—I mean, the cuts to second-stage housing and crisis centres for women have a dramatic impact because these children who would find the security and the shelter within these houses still come to school, they still bring the baggage that they carry within the stress of their families within the schools and within classrooms. So that's why we're here today, because we care about that and we don't live in isolation.

**Mrs Papatello:** Your presentation was most impressive because it itemizes almost all of the effects on children, through junior kindergarten cuts, children's aids, children's mental health, cuts to so-called administration to school boards, which actually includes things like psychology services, aides for children with disabilities. You also mention the welfare rate's decrease impacting on 500,000 children, child care cuts, women's shelter cuts, the learning-through-culture cuts, non-profit housing cuts etc.

Our position as a party has always been the necessity to balance the budget. It was critical though that there be a very inequitable attack on that in terms of cutting because there are areas you simply cannot cut across the board because the impact is far greater on certain sectors, children being one of them. Our position was always that.

How do you respond to comments made like, "We are doing better for our children because we're taking care of the deficit and therefore we are securing the future of our children because we will balance the budget"? How do you stand it, I suppose, is more the question, but how do you argue that?



**Ms Hoshizaki:** Obviously, by presentation of our brief and the fact that we've had a short time line to present our brief. We have done a lot of work in this area, both in the area of actually even financially calculating what the benefits are in an early investment. We do that. We know in our hearts that there is a benefit, but we have to somehow calculate financially the benefits to try to demonstrate the argument for people who believe that dealing with the deficit is the only issue for today.

However, in the promise of a future for young children, we can tell you very clearly, if you don't take care of today's present, if you don't take care of those who are vulnerable in society, and as probably has been presented by other groups, if you don't make the investment today in young children, then it will cost many, many times over. All you have to do is look at the different costs of ministries and the costs of ministries working with children. You make your \$1 sign when you invest in education. You make \$2 signs when you take a look at the Ministry of Community and Social Services. Then if you look at the Solicitor General, you're looking at much, much more money invested. What we're saying is, turn that staircase upside down. Put the money in at the time when children are most vulnerable but the most opportunistic to assist. You know, put it in education.

So the answer to your question is that we can only articulate the rationale in so many ways, and what we're trying to do for each different political party is give it to them in the language that they have presented to the people.

**Mr Silipo:** That's, interestingly enough, exactly what I wanted to get to as well. I appreciated very much your presentation and I would have been surprised had it been anything other than the kind of amazing overview of the different areas that affect kids and the different cuts, the different attitudes. Because, as I say, had it been anything less than that I would have been surprised, coming from your federation. I appreciate very much what you've managed to pull together for us even in the short time that you've had.

But in order to perhaps be—and I say this with all due respect, Mr Chair—of help to the government members of the committee, I want to just focus on one area in particular because I hope that we can, by having a bit of an exchange on it, try to make the point, and that is the cuts to junior kindergarten. As you note in your brief, the government hasn't cut it per se, but it clearly has cut \$400 million of funding next year, and at the same time it said that it would make junior kindergarten an optional program. We know that there have been boards that have already begun the process of cutting junior kindergarten and I think your brief describes that the consequences that will have.

But do you have any sense at this point as to what the consequences of that government action will be in terms of boards? Do you know, for example, how many boards are looking at seriously cutting junior kindergarten? From your sense of what's going on out there, how many places are we likely to see where in fact boards will look at that as a way out of the funding cuts that they will have to deal with? Because I agree very much with you

when you say that you can't take \$400 million out of a school system and not affect the classroom.

**Ms Hoshizaki:** You know, we have already heard from certain school boards that basically have stated that if it's not fully funded, which it has been in the past and is not now, they will not be providing junior kindergarten in the fall. That's been from a couple of school boards.

However, at the same time, school boards are sitting back and waiting. The fact that it's been transferred from a mandatory status to now an optional status as a program, we know that the local school boards are going to have to meet their targets on somehow extracting \$400 million, whether it's in transportation—but certainly junior kindergarten now having received the status of being an optional program, when local trustees sit down to take a look at their budgets, and they look at them in, whether it is March or April, and they know that junior kindergarten is optional but other programs are mandatory or core programs, then in fact junior kindergarten is up for grabs. It becomes, as has been stated by many trustees across the province right now, as there's nothing sacred.

We know now that because of the message of this government, junior kindergarten is not a sacred program and therefore will be probably one of the programs to go because—we say this over and over again—you can't extract as much as \$400 million out of a system and not affect classrooms. Junior kindergarten's a perfect example: The cancellation of junior kindergarten affects junior kindergarten classrooms.

**The Acting Chair:** Two minutes per caucus now.

**Mrs Janet Ecker (Durham West):** Thank you very much for coming. I certainly appreciate the short notice. You've certainly prepared a lot of information in that time frame.

You'd made a comment that you believe, if I understood you correctly, that we should be looking after today's problems today, which is one of the reasons why the spending problem that we have today we are trying to look after today, because there won't be a future for tomorrow if we don't.

I have heard from a number of teachers in my area that they see a lot of fat, if you will, within the administration in their particular boards and I wonder if you could perhaps comment on that. Are you saying that there are no savings within administrative structures between school boards? In individual school boards there are no savings that boards should be looking at in terms of trying to focus the resources in the classroom?

**Ms Hoshizaki:** First of all, I think that for some reason there has been this idea that school boards have not looked at savings within the last several years. Having been a principal in a small school system—and I worked on what I referred to as an operational budget, meaning whatever we got was what we spent—however, within the seven or eight years that I was a principal, that was decreased quite dramatically each year. So there have been savings within systems.

But what I would like to identify is the area that there's somehow this great fat of administration within education, within the publicly funded educational systems

in Ontario, and it just isn't there. It depends on how you define administration.

I apologize for not knowing the specifics as to the teachers who speak to you about this great level of fat that exists within administration, but classrooms don't exist in isolation. There are support systems within classrooms that have to do with programming, that have to do with curriculum, that have to do with support systems for children with learning disabilities, but they are not administrative fat.

I can draw a picture of a school board for you quite handily and really what you have is you have a director of education, you have superintendents. Other than looking at some very large school boards, you have some very basic administrative levels. Even if you were to remove those administrative levels, they wouldn't even come close to this great \$400 million that has to be taken out of education.

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So that is one very, very small part, and I'm not suggesting that there may not be or couldn't be a restructuring of the administration within education, but that wouldn't even begin to address the dramatic cuts that this government is asking education to come up with; it wouldn't even begin to.

**The Vice-Chair (Mr John Gerretsen):** Thank you very much. Just one very short question.

**Mrs Pupatello:** In every example that you used, what was interesting is that you focused on the children at risk and pointed to areas where the cuts lie, the exposing of those children at risk in that they're cutting the very areas that will point those children out so that we can have some intervention at an early age. It's almost a move for survival of the fittest in comparing these children to the cuts, and those that are the strongest will survive and the rest, well, I guess they'll be left in the jungle.

You pointed out in every area, though, that those cuts are attacking the areas that will provide the intervention or even the focus of where that intervention should be. You're finding that in schools. You've also mentioned that it's those very children who will be those with disruptive behaviour, those where the teacher has to spend much more time, with the classroom size getting larger etc. Have you found that sort of growing or lessening over the years?

**Ms Hoshizaki:** There certainly has been an increase in children in crisis. I think the area that we've identified in welfare cuts, when you have 500,000 children living in poverty in Ontario, that increases quite dramatically the stress within families and within a child's life. Certainly add to this that the child is coming to school with just the idea that he or she has to think about basic food, shelter, clothing, and I think what we're really talking about is the emergence of the complexities of these cuts on a certain sector of society, that being the most vulnerable, and those people who happen to be the most vulnerable.

I think what we're also seeing is a pattern emerging from this, and the pattern is that organizations such as ourselves are going to speak out on behalf of these vulnerable children because we see it as a crisis and we can't afford to be silent about it.

**Mr Silipo:** I was also particularly struck by your observations in your brief about the experience in Montreal where teachers schedule tests only at the beginning of the month after the welfare cheques have arrived, and comparing that to your other observations in your presentation about the experience in many European countries.

This is something that I've continued to ask myself over a number of years; I think, in fairness, even before the Conservatives took power. But what is it about the Ontario and perhaps the Canadian society that makes it so difficult for us to understand the economic sense, let alone the social sense, of investing in young people, in education and other children's services, and in being prepared to acknowledge that if we nurture kids in a very healthy way and if we provide for them properly when they're young, it will pay back in spades for all of us in society? What is it about this North American society that makes it so hard for us to understand that? We've got example after example across the world of how that is working and can work.

**Ms Hoshizaki:** Hypothetically, I could respond to it by saying maybe it's our neighbours to the south. Not that I would like to blame the neighbours to the south, but there is a movement in which we believe for some reason that individual rights are more important than what we see as collective rights, and of course we believe that we have to have collective rights to have individual rights. We have to have some very basic standards for families and for children who live in Ontario and certainly in Canada.

What we wanted to do today was provide you not just with the hard data, the statistics, but also the same kind of data that the previous, or the politician over here—that is, the gathered data of talking to your neighbours. That's really important information for us, and that's why we have quoted specifics from teachers, because what's really important for us are the observations that classroom teachers make daily. Those are the kind of statistics that politicians should listen to, because these are the children who come to school and can give you their stories, and teachers can give you the stories of how that affects them in classrooms. That's what has the real impact in how we have the ability to teach children and for children to learn, to be given the opportunities that really publicly funded education is all about.

**The Vice-Chair:** Thank you very much. Unfortunately, we're under a time constraint and we want to be fair to all the groups, so we can't allow for any more questions. Thank you very much, Sheryl and Joan.

SOCIAL PLANNING COUNCIL OF  
METROPOLITAN TORONTO  
METRO CAMPAIGN 2000

**The Vice-Chair:** The next delegation we have is from the Social Planning Council of Metropolitan Toronto. Andrew Mitchell and Colin Hughes are here. Now, gentlemen, we have a total of half an hour for your presentation and questions, so however long you take for your presentation will leave less time for questioning. Go ahead, please.



**Mr Andrew Mitchell:** My name is Andrew Mitchell, so you can identify the players, and to my left is Colin Hughes, whom I work with frequently. Colin's going to begin our presentation today.

**Mr Colin Hughes:** I'm here on behalf of Metro Campaign 2000. Just very quickly, this is our report card that you've just received on child poverty in Metropolitan Toronto. Campaign 2000 is a cross-Canada coalition dedicated to securing implementation of the House of Commons resolution to end child poverty by the year 2000.

Public concern about child poverty and the growing social deficit has found expression but little action in public policy deliberations in Ontario and in Canada. In Ontario, welfare reform proposals such as the 1988 Transitions report and the 1993 Turning Point document were motivated in part by concern about child poverty. In 1989, the Canadian House of Commons unanimously passed an all-party resolution to seek to end child poverty by the year 2000. The resolution itself occurred within the context of the passing of the United Nations Convention on the Rights of the Child.

The international convention sets out a wide range of social and economic rights for children, including the right to a standard of living adequate for their physical, mental, spiritual and social development. I happen to think that's not a bad test. Federal and provincial governments are obliged to apply the maximum of available resources to implement these rights.

We believe that Canada could have made progress on these policy commitments. We're not a high-tax country. Our levels of taxation and social spending are lower than the average of industrialized nations. Look at the OECD. But despite our resource capacity, our commitments to children are essentially being ignored. Instead, funding and standards in national social programs are being cut, withdrawing the federal government from the social policy field and undermining our ability to pursue national goals and international obligations towards our children.

This really also compounds the problem of child poverty. Canada has stated its priority as deficit reduction, which is fine, but we're not really fighting the deficit fairly and responsibly. We've ignored about \$90 billion in tax expenditure and other revenue measures and have instead made significant cuts to programs that directly and indirectly support children. So rather than working to end child poverty, a significant burden of deficit reduction has been transferred on to those who are least able to cope, the largest portion of whom are poor children. This lack of attention to children's needs and rights is indicative of a deeply disturbing trend towards the devaluation of children by public policy decision makers.

In Ontario, the current policy directions are in fact making poverty worse. The provinces have moved very quickly to fill a void in social policy created by the federal government, and done so in the worst interests of children, fuelling that trend towards the devaluation and neglect of children. The province is giving, in our opinion, insufficient consideration or weight to the hardship or damage of provincial funding cuts for children, so we

urge this committee to help in terms of reconsidering and reversing current policy directions.

The pace and the depth of Ontario's cuts are quite staggering. Almost half a million children, as has been noted a number of times, are affected by the cuts to social assistance, which are in the amount of 22%. Parents are going to be forced into workfare as a condition of their social assistance, which had been banned under federal cost-sharing. In-kind community supports—recreation, libraries and so on—are being cut or eliminated almost on a daily basis. Cuts to municipalities will also affect many of these programs because they cost-share them or fund their own programs. The licensed child care system is literally in danger of collapsing, and even kindergarten children are being characterized as examples of "overspending" and "non-classroom costs."

These cuts and more of them are really going to fall hardest, I think, on children and low- and moderate-income families. The province, like the federal government, has claimed that it's doing this to fight the deficit, but, as has been noted, this is neither fair nor socially responsible. What's worse is that the provincial cuts are motivated by a promise to provide tax breaks which will largely benefit upper-income people.

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Ontario is effectively pursuing policies of redistribution in reverse: sacrificing public programs and transferring the cost of deficit fighting on to those who are least able to cope, while those who already have more than their fair share of resources are left off the hook and stand to reap tax advantages. It's held that the results will be economic growth and that the benefits will trickle down to lower- and moderate-income groups. But in country after country where progressive redistributive policies have been rejected and trickle-down policies have been embraced, the children have been failed.

Child psychologist Penelope Leach notes that, "Wealth is sticky stuff; it does not trickle easily or far." Instead, poverty and inequality in income distribution, the biggest and most serious risks to children's wellbeing and development, have increased. Children in Ontario can expect the same.

**Mr Mitchell:** I want to speak briefly to the issues of the impacts of inequality and poverty on children's health and wellbeing. I have been a part of such research over the past several years.

The fact that poverty puts children's development at risk is confirmed by an established and growing body of national and international research. Poverty is correlated with higher infant and child mortality rates, ill health, low birthweights, poor school performance, behavioural and emotional problems, child abuse and neglect, delinquency and future adult social problems. Any of these perils of course can and do occur in families who are not economically disadvantaged, but poverty increases the incidence, the cumulative impact and the persistence of these risks. Children pay a terrible price for the failure of the state to make adequate provision for their security.

To fight child poverty, lower- and moderate-income families must be enabled to increase their incomes, both



their shares of market incomes and the security of their incomes through government transfers, which is the opposite, unfortunately, of what we see happening.

Since 1981 the distribution of income in Canada and in Ontario has become more unequal. Upper-income groups, particularly the richest quintile, have gained their share of the income pie at the expense of lower- and moderate-income families. It's interesting also that this trend is more pronounced in Ontario compared with the rest of Canada, perhaps because of the impact of the recession here in Ontario. Provincial cuts to transfers of income to lower-income families and cuts to the community supports which most families need to raise their children and to participate in the labour market effectively will only increase this trend towards greater inequality and higher levels of child poverty.

As I said, this is an enormous literature. It's incontrovertible. It all says the same thing, it all points the same way, and that's that poverty for children is devastating and its impacts are lifelong.

But the impacts of deprivation are not confined to the poorest. The economies of countries with more equal distributions of wealth in fact grow more rapidly and have higher income levels than those which pursue policies which exacerbate inequality. It turns out, interestingly, that inequality harms growth and leads to growth-retarding policies. We cannot afford child poverty if we want a decent society with good prospects for human and economic development. This is probably one of the most interesting developments going on in current thinking about the relationship between social and economic policy, and if you want to follow it up I would refer you to the literature called the endogenous growth literature.

To move on to social assistance again briefly, the decision that was taken in the late 1980s to boost Ontario's social assistance benefits was based on the realization that inadequate benefits actually posed barriers to independence and self-sufficiency. As Conrad Black himself noted in 1989, "I think it," meaning improved benefit levels, "makes good economic sense. As a businessman I understand you have to invest in something to make it work." Benefits were raised, thank goodness, but remained far below any recognized poverty lines. But also, interestingly, at the time benefits were raised, food bank use went down—not so surprisingly, perhaps.

A savage recession and cuts to federal cost-sharing arrangements with the provinces, cuts to unemployment insurance and so forth, have all pushed Ontario's welfare cases and costs up. But instead of facing these problems directly and fairly, punitive policies emphasizing the so-called spur of poverty and workfare have been resurrected. These are policies which have been tried before throughout Ontario's history and the history of many countries. They always fail, they always fail for the same reasons, and they always hurt children.

Welfare cuts will drive hundreds of thousands of children and families on social assistance deeper into poverty. A lone parent with two children under age 12, for example, will lose about \$3,000 per year, the equivalent of a modest but nutritious basket of groceries for that family, putting them over \$7,000 below the budget

guidelines we use at the social planning council to estimate modest but adequate living, about \$9,000 below the low-income cutoff and about \$46,000 or \$47,000 below the average family income in Metropolitan Toronto.

Children, especially in their formative years, I think we'd like to point out, tend to live in younger families. Colin's got a few remarks about what's happened to younger families in this area over the past few years.

**Mr Hughes:** Employment among younger families, among younger people, has dropped dramatically between 1989 and 1993. About 80% of job losses in Metropolitan Toronto were among people under the age of 34 years, and since the 1970s earnings among workers under age 35 have declined dramatically. Government transfers between 1973 and 1991 were increasingly important to younger families to offset declining employment income. So cuts to provincial transfers, such as social assistance, child care and other in-kind supports, will be particularly hard on this group.

In terms of child care, affordable, high-quality child care provides children with a good start in life and enables parents to participate in work, education and training. In just about any document that is discussed addressing child poverty, child care has been flagged as an important strategy.

There are over 20,000 children currently waiting for subsidized child care in Metropolitan Toronto, but Metro's taken a 16% cut in licensed child care subsidies, losing about 3,500 subsidized spaces after January 1, 1996. And with the provincial cuts to municipal transfers approaching 50%, the licensed child care system, certainly in Metro, could collapse. We're looking at numbers around 8,500, the possibility of losing 8,500 subsidies in Metropolitan Toronto.

The province is clearly leaning in the direction of informal care, and there have been a number of suggestions in the media around using neighbours or family members or around the whole business of workfare, whereby mothers on social assistance will be required to babysit other people's children as a condition of welfare entitlement.

Informal care and workfare child care really do increase the risk of poor care to children. In terms of informal care, the quality of care in many of these arrangements is unknown and unknowable. Indeed, when the province's draft document on subsidies for informal care was leaked, one of the issues that had been flagged was the issue of liability and absolving the province of responsibility for children in informal care. So it seems that the province is cognizant of these risks, but it doesn't seem to convey the same standard to children or to parents.

Workfare child care is a bad idea for children for a number of reasons. Most obvious is that forcing anyone to care for another person's child is unwise and risks children being cared for in environments where they are unwanted and resented.

**Mr Mitchell:** I want to turn to housing for a moment. Housing is quite central, of course, because it turns out that if you look at the literature on child health and

wellbeing and the safety of children, the quality, security and safety of their housing actually is quite fundamental. It has a lot to do with why poor children have higher rates of accident than non-poor children, because they tend to live in less safe neighbourhoods and less safe housing.

So it's important, I think, to recognize that we see the risk of children becoming dislocated and homeless growing. The largest group of children in Metro shelters for the homeless are very young children, those under the age of five. Metro shelters are experiencing a shift away from serving single persons to serving families; that is, families with children are the fastest-growing group of people in Metro's shelters. They're full, and they're getting fuller all the time.

About 40%, we should also recognize, of Ontario's private rental stock is occupied by people on social assistance, so we wonder and are concerned whether or not cutting the welfare benefits by 22% is going to increase homelessness.

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Just parenthetically, I think we should pause for a minute and recognize that a cut of 22% in welfare benefits is like an implicit tax of 22% on their incomes, and I wonder if anyone else in Ontario is being asked to take a 22% tax increase right now.

As I already mentioned, the shelters are reporting dramatic increases in demand, but it's quite questionable in my mind whether or not rents in Ontario are going to drop to the same magnitude as welfare benefits are being cut. It's a very questionable thing, given that vacancy rates are under 1% right now. Nor will it be that easy to move to cheaper accommodation. The few apartments that are available tend to rent for much higher rents than the average. In Metro, we have done some quick calculations which showed us that less than 3% of apartments that are suitable for a lone parent with one child rent at or below the new amounts for shelter costs from welfare and less than 1% of apartments suitable for a lone parent with two children rent at or below the new shelter maximums.

So money for rent in these situations may have to come from money for other basic needs—food, clothing, school needs, reading or recreation needs of the child—but those basic needs of course have also been cut by 22%. Families may have to choose between homelessness or hunger, and those choices are being made as we speak.

**Mr Hughes:** In terms of hunger, children are already overrepresented in terms of their use of food banks. About 70% of food bank food goes to families with children in Metropolitan Toronto, and though children who are 19 years of age and under make up only 22% of Metro's total population, they make up 43% of Metro's food bank users. Metro's Daily Bread Food Bank estimates that because of the welfare cuts, there will be a 95% increase in the numbers of people needing their help.

In terms of child welfare, one need only look south of the border for an immediate glimpse of what is in store for Ontario's children. The Ontario Incidence Study on

reported child abuse and neglect notes that there's a strong relationship between neglect, which comprises about a third of child maltreatment investigations, and child poverty. But rates of reported child neglect in Ontario are less than one half the rate of those in the US.

This can be explained by the fact that the US has double Canada's child poverty rates. Indeed, in the US between 1986 and 1991, the years of comparable policies of major cutbacks by the Reagan administration, admissions of children into foster care increased by 60%. A comparable increase in Ontario would mean about 6,000 more children being admitted into foster care.

In conclusion, Ontario's cuts to programs will increase child poverty and inequality. This will have immediate and long-lasting detrimental effects on children. We urge the standing committee to do what it can to help the province reconsider and reverse its current policy directions. Fiscal deficits should be fought fairly and responsibly. Social programs should be protected and improved. We are in desperate need of public education on the importance of redistributive policies to reducing child poverty and inequality and to our own economic growth. Ontario could, in its own interests, promote these as national objective in social policy. But at a minimum, and on an ongoing basis, the province's policies should be objectively evaluated in terms of their impact on Ontario's children and whether these policies erode or advance the internationally recognized rights of children.

I'd like to thank you for allowing us to appear.

**The Vice-Chair:** Thank you very much. We have three minutes for each caucus for questioning.

**Mr Dominic Agostino (Hamilton East):** I thank the presenters for I think highlighting to us again that the biggest group that is going to pay the biggest price for the cuts, the same group that supposedly these cuts are being made to benefit—I find that quite ironic that kids, and particularly children under five, as we've seen in various parts of the briefs, are going to be the biggest victims, whether it's in the shelters and the fact that it's their largest group of children, or the largest group is under five, kids who use shelters, or whether it's the increase in food banks, an astonishing number of kids who have to rely on food banks.

I ask the government members to think about that a little bit. What are we doing to the people that supposedly we're trying to build a future for, and is there going to be a future for them if they have to go through this devastation and to grow up in this kind of setting?

To just follow up on the impact it's going to have, I think we know that kids who go to school hungry don't do well, that kids who don't have proper shelter fall asleep in class and don't do well and that kids who have a hell environment at home as a result of tension and a result of a lack of basic necessities do poorly in school. I would dare anyone to challenge that and to find information contrary to that evidence, and we're going to see more of that.

I guess the question would be, what do you envision to be sort of the most obvious signs or the most immediate short-term impact that we're going to see on children as a result of these cuts?



**Mr Mitchell:** Off the top of my head, I know that in the first couple of months since October, I think the food banks are reporting in the first instance about a 70% increase in the first month and it's expected to go higher in the number of people coming to food banks for help. They're coming earlier in the month. They're coming more times per month than historically they've had to before. Food banks are having to consider things they heretofore have not had to consider, such as rationing food and trying to develop some kind of needs test to ration food among the people coming to them.

**Mr Agostino:** Is there a correlation between what you would see is the number of cases that children's aid societies will have to deal with, a case of abuse and neglect in the home, as a result of the cuts and the impact it would have on the family life and would ultimately lead to more of that sort of abuse and the need for the CAS to be involved?

**Mr Hughes:** I think the concerns in the child welfare system do relate to the overall impact on the family and the ability of parents to care for their children. There are concerns there around neglect and increased levels of stress, in addition to increased levels of isolation. All of these risk factors tend to come together around poverty and tend to be intensified by poverty. So I would say that that's a very real concern.

As to whether there'll be an immediate impact, I really can't say. I understand that in Alberta caseloads are starting to jump up. There may be a lag. It's a fairly rough indicator.

But what we do know is that poverty increases the degree of isolation. There are fewer resources for the child's needs to be met. It increases the stress that is on parents. Indeed, for example, there was a study on women's mental health finding much higher rates of depression among women at the lower end of the income ladder. We know there are fewer choices that they have.

It's really kind of common sense. There are all these things when you go through a family budget, and I would really encourage members here to sit down with a line-by-line budget and imagine yourself in that position with that much money and living on it and raising a child, and please use the standard that's in the UN Convention on the Rights of the Child, a standard that says it's adequate for the child's social, physical, emotional and spiritual development, not just what they'll survive on on the streets.

Those concerns all do come together, and, yes, I think we will see either an increase in terms of the frequency or number or we're going to see an increase in terms of the severity, or both.

**Mr Silipo:** I want to thank the presenters as well. I guess even Conrad Black couldn't convince the government, this government, about our rights, because in fact, as you know and as you noted, not only were the cuts raised, but in the letter that the Minister of Community and Social Services sent out to the world on July 21, he said very clearly, "We believe the current rates are too high and are one of the reasons our welfare caseloads have increased so dramatically."

I'm sure that the government is probably now taking a lot of comfort out of the fact that the number of people on welfare have dropped, but they haven't, it seems to me, factored in a couple of things, and I'd like you to comment on this.

One is that as they finally fix the problem, one of the problems they've caused is when, as they fix the problem, that has let a number of people off the rolls temporarily because of the changes to the STEP program, which they're now fixing, we will see—my guess is anywhere from 10,000 to 30,000, 40,000 people back on the rolls, unless the government decides to classify them in some other category, which we'll be interested to see what happens.

But the other is this lag period that you talked about. I don't know what's going to happen, but I would like to ask you if you have any information that you can share with us about what has happened, in effect, let alone those people who are just off because of the reduction in the rules, because the rules have caused them to drop off the rolls and they would've otherwise still been legitimately on the rolls.

What's happened to the other people who have been dropped, left off the rolls? Have thousands of people really managed to get a job in the last little while? Because they don't seem to show up anywhere else in the statistics. Where are they?

**Mr Mitchell:** This is baffling a lot of us. We're unable to provide a very satisfactory explanation. We're eagerly waiting for some kind of report from the government ourselves. There's probably a package of things going on. Some people are simply disoriented by virtue of the rule changes. The climate of course has changed and some people might have decided to leave the province altogether simply because of the change in the climate.

The welfare system is one thing on paper and, as a lot of people around here know, it's quite another thing out there in the offices, in the real world of people living on social assistance. It's not a fun system. It's a very punitive and harsh system for a lot of people, and when the climate changes for the worse for these people, that affects their daily lives. So maybe some people have packed up, but we're waiting to find out. We simply don't know enough ourselves. The employment statistics certainly don't reflect this.

But you said something else. I want to take the opportunity to answer a question that you didn't ask me. You alluded to a widely held view that benefit levels drive caseloads. I know that literature. It's flawed on methodological grounds, it's flawed on conceptual grounds. You cannot conclude from anything that's been done that I have ever seen that there's any substance to that view whatsoever.

**Mr Dan Newman (Scarborough Centre):** Thank you for coming. I'll be quick, since we have three minutes. On page 1 of your document here you say that we're not a high-tax country.

**Mr Hughes:** Yes, that's correct.

**Mr Newman:** How much room do you see in increasing income taxes?



**Mr Hughes:** At the national level?

**Mr Newman:** Both nationally and here; just specifically in Ontario.

**Mr Hughes:** Personal income taxes? I actually don't personally see a lot of room in the personal income tax system.

**Mr Mitchell:** I don't think there's a magic number and I don't think anyone should pretend like there's a magic number that's the right tax level and anything beyond that is too high and anything lower is inappropriate. But there are things that can be done in a personal income tax system. We're all aware that there's an enormous problem with tax expenditures in this country. It's not a popular topic always, but I think it's important to recognize. It might not be for this level of government to deal with. The federal government controls the definition of income for tax purposes, and we've addressed these questions to them, but that's where I would see the scope for dealing with that problem, maybe more than the rate of tax necessarily.

**Mr Hughes:** In terms of the question around are we or are we not a high-tax country, if we look at comparisons to other industrialized countries, we're not; we're, I believe, about 3% below the average, something like that, 3% of GDP, which is a lot. So there's some room. We're not saying that deficits and restructuring don't pose some real, serious problems. I think that would be silly. What we are saying is that there is some room to move there and that we have to really have our priorities straight as to who pays whom benefits, who can carry the burden and who can't in our society.

**The Vice-Chair:** Okay.

**Mr Newman:** I don't think I've had three minutes, have I?

**The Vice-Chair:** Well, okay. You've had two and a half; half a minute more.

**Mr Newman:** Be impartial, Chair. I'd like that.

**The Vice-Chair:** As impartial as I can.

**Mr Newman:** The new rates set by the government are 10% above the average of the other nine provinces in Canada, yet you claim they're unfair. Can you explain that's?

**Mr Hughes:** The new social assistance rates?

**Mr Newman:** Here in Ontario. They're 10% above the average of the other nine provinces, yet you claim that's unfair.

**Mr Hughes:** Sure. Yes, we do. We think it's unfair. In the first place, there's no standard across Canada of adequacy in benefits. The benefits that are given by each province are not a good measure of what's adequate. The other part of that is the difference in terms of the cost of living in Ontario, which is different than in other provinces. We could compare ourselves to the Yukon, for example, I suppose, in welfare rates and then we'd raise them. I don't know. So yes, we don't think it's fair in that sense. Andrew, do you want to elaborate on that?

**Mr Mitchell:** I'll just add quickly to what Colin said. There's nothing I'm aware of that suggests that the other provinces, as Colin said, are an appropriate benchmark or that 10% is the appropriate increment. Also, is this now a moving target? Because one of the things that's happening in response, frankly, to what Ontario is doing, is other provinces are cutting their benefits as well. Is our goal always going to be that 10%? Are we going to cut benefits again to stay in that 10% gap, even if I could be convinced that this was the appropriate differential between Ontario and the other provinces? It's a problematic measure.

**The Vice-Chair:** Thank you very much, Andrew and Colin, for your presentation.

The next meeting of this committee will take place at the call of the Chair, since we haven't been allocated any particular times yet during the intersession.

*The committee adjourned at 1705.*









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Colle, Mike (Oakwood L) for Mr Gerretsen

Pupatello, Sandra (Windsor-Sandwich L) for Mr Patten

Silipo, Tony (Dovercourt ND) for Mr Laughren

**Clerk / Greffière:** Mellor, Lynn

**Staff / Personnel:**

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Glenn, Ted, research officer, Legislative Research Service



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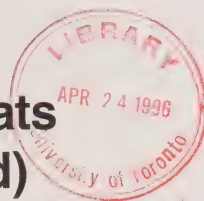
Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 15 April 1996

# Journal des débats (Hansard)

Lundi 15 avril 1996



## Standing committee on social development

Education Quality and  
Accountability Office Act, 1995

Ontario College of Teachers Act, 1995

## Comité permanent des affaires sociales

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Loi de 1995 sur l'Ordre  
des enseignantes et des enseignants  
de l'Ontario

Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENTCOMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Monday 15 April 1996

Lundi 15 avril 1996

*The committee met at 1533 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

**The Vice-Chair (Mr John Gerretsen):** I'd like to welcome everyone here. The first thing we have to do is adopt the report of the subcommittee. I believe a copy has been distributed to everyone. Could I have a motion to adopt the recommendations?

**Mr Richard Patten (Ottawa Centre):** So moved.

**The Vice-Chair:** Any comments? All in favour? Carried.

Secondly, with respect to item 2 of the subcommittee report, it was decided to allow each witness a half-hour, and that includes questions and answers and comments. We have to decide how that time is to be allocated. Is it agreed between the parties that the time shall be allocated equally between all three parties? Agreed.

Now we can have our first witness, Mr Tom Wright, the Information and Privacy Commissioner. Mr Wright, welcome to our meeting.

**Mr Toni Skarica (Wentworth North):** I was going to have an opening statement, Mr Chair.

**The Chair:** Okay, go ahead.

## MINISTRY OF EDUCATION AND TRAINING

**Mr Skarica:** I am pleased to initiate discussion on Bills 31 and 30 this afternoon. These pieces of legislation will create two important initiatives.

First, the Ontario College of Teachers Act will establish a professional body through which teachers of this

province will regulate their own profession. Second, we will establish a new office operating at arm's length from government, the Education Quality and Accountability Office, hereafter referred to as EQAO. This office, I am proud to say, is part of this government's commitment to a comprehensive approach to testing, accountability and improvement.

These initiatives are among many that demonstrate our government's commitment to developing an education system that is based on excellence in achievement for Ontario students, and accountability to and affordability for all the taxpayers of Ontario.

We have, as you are aware, already announced our intention to reform the secondary school system in order to make it more relevant to the needs of students and the businesses that hire them.

To increase parent involvement in our schools, we are moving forward with the establishment of school councils.

We have taken action to deliver on our pledge to have an affordable education system, one that provides real value for the taxpayers of Ontario, by introducing a savings strategy that provides school boards with more flexibility and helps them to realize savings in the sector.

We are also committed to setting high standards for student achievement across the elementary and secondary system, as well as a demanding, province-wide core curriculum.

Our goal is to achieve a responsive and effective system in which taxpayers can see value for their investment and children can receive excellence in their education.

Through the standing committee I, as the parliamentary assistant to the minister, look forward to hearing the views of those concerned about Ontario's education system. We are here to listen, because our priority is to make sure that we are developing the best possible legislation. This is in the government's interest, the public's interest, and anyone interested in education.

Bill 31 represents a significant step forward for the profession of teaching in Ontario and for our system of education. Many eminently qualified people have come to the same conclusion: A self-regulating College of Teachers is essential to improving the quality of education in Ontario. This is an idea whose time has finally come.

By giving teachers the power to regulate their own profession, we are putting the responsibility for excellent teaching in the hands of those who are best qualified to know what a teacher should and must be today and in the future.

In creating the Ontario College of Teachers, we are fulfilling two important objectives of this government.

We are fulfilling our promise to maintain and improve the quality of education in Ontario and we are fulfilling our promise to make our educational system more accountable to the public for how well our schools prepare young people for their future endeavours.

The Ontario Teachers' Federation and its affiliates will, of course, continue to provide collective bargaining and other protective and professional development services for their members.

The college will strengthen teaching, increase public confidence in education and ensure public accountability by clearly separating the responsibilities of teachers' unions and the self-regulating body, and the responsibility of that body to the public. After all, it will be teachers who, like other Ontario professionals, will set the standards by which they are trained and by which they practise their profession throughout their careers.

In developing this legislation, we have learned from the same basic public policy that characterizes more than 30 other self-regulating professional bodies in Ontario.

With Bill 31, we are acting upon an idea that has been recommended and debated in Ontario now for about 30 years. Starting with the Hall-Dennis commission in 1967 and culminating with the Royal Commission on Learning last year, many task forces on education have recommended the establishment of a College of Teachers.

The royal commission's recommendation in its report *For the Love of Learning* was based on consultations with hundreds of individual teachers, parents, students and taxpayers from all over the province. Teachers told the commission that a more coherent approach to teacher education is needed, along with meaningful, professional learning opportunities for both new and experienced teachers.

1540

I would like to express appreciation to the former government—I don't see any of them here—which established the College of Teachers implementation committee and to members in all parties for their suggestions. I look forward to continuing to work with everyone and so does the ministry, so that the best possible legislation comes out of this process.

This new initiative will have important benefits for Ontario's teachers, parents, students and taxpayers.

The college will give teachers more say in defining and controlling the quality of professional conduct and practice. The public and students will gain greater confidence in the education system because they will know what standards of performance to expect from their teachers, and how teachers pursue their own professional development. As part of their professional growth, teachers will be required to develop skills and knowledge throughout their careers. The College of Teachers will establish a process for teachers' ongoing education, recognizing that many of Ontario's teachers are already engaged in these activities.

The college will have a governing council of 31 members, more than half of whom must be qualified teachers. The public will also be represented on the council, ensuring the college serves the interests of the broader community as well as the professional interests of teachers.

What will this governing council of teachers do?

Through the college, teachers will develop standards of what teachers should know and be able to do in a classroom at each stage of their careers. The standards of practice the governing council establishes will apply to all educators who are certified to teach in Ontario. This means all educators, whether working in the classroom or in school administration, will have high standards of professional training and requirements for professional development relevant to their experience and particular assignment.

The college will be responsible for the certification of teachers. It will be responsible for developing a process of ongoing education for their profession. The college will investigate complaints concerning the professional conduct of college members. The college will be responsible for the accreditation of pre-service and in-service teacher education programs, ensuring they meet professional needs. Through the college, teachers will be responsible for accrediting the groups that deliver professional development programs.

While designed for teachers, the college will also have important implications for and accountability to the public.

As is the case with other self-regulating professional bodies, the College of Teachers will have significant public representation on its governing council and committees. The governing council will report annually to the minister and to the Legislature on its activities. Meetings of the council and its disciplinary committees will be open to the public.

Through this legislation, we will be able to take a positive step forward towards excellence in teaching as well as excellence in education.

As I've said from the outset, we are proud to introduce two pieces of legislation for discussion at the standing committee today. The other is Bill 30 which will establish the Education Quality and Accountability Office. Our goal is to achieve a responsive and effective education system in which taxpayers can see value for their investment and Ontario's young people can achieve excellence in their education.

An independent, comprehensive assessment program is a key element in this plan. The decision to establish an assessment and accountability authority, independent of the Ministry of Education and Training, also follows a recommendation of the Royal Commission on Learning. It responds to public concerns regarding objectivity in the development of tests and in the reporting of test results.

The mandate of the EQAO will be to evaluate the quality of elementary and secondary education in Ontario and provide strategies for improvement. A significant part of this mandate will involve the province-wide assessment of students' academic achievement and the reporting of the results to the minister and the general public.

The assessment program meets the Common Sense Revolution's commitment to assess the achievement of Ontario students on a regular basis.

The program will be developed in conjunction with and will be based on a demanding provincial curriculum setting high standards of achievement. It will be tied to classroom work, will model good teaching practice and



will lead to educational improvements. As such, the program is the key component of the government's strategy for accountability and excellence in education.

The office plans to commence province-wide testing in grade 3 in reading, writing and mathematics during the 1996-97 school year. This testing will be conducted annually thereafter. Sample testing in reading, writing and mathematics in grades 6 and 9 will also be conducted, starting with a grade 6 math test in 1996-97. All-student testing in grade 11 is planned for the 1999-2000 school year, following the establishment of new secondary school graduation requirements.

Beyond assessing student achievement, the EQAO will provide a wide range of information on the quality of education in Ontario. This will include system quality indicators and reviews of selected education quality issues of importance to Ontarians.

The benefits to the province will be considerable. For students, parents and teachers, the test result information will help to identify individual strengths and weaknesses, and support appropriate intervention measures, where needed. Test results will also provide important feedback to teachers on the effectiveness of their classroom programs and teaching practices.

Teachers recently had an opportunity to participate in shaping the Ontario assessment program through a series of consultations held across the province. We appreciate their thoughtful input, and I can assure teachers that the EQAO is listening.

For the taxpayers who fund the system and for those who share responsibility for the quality of classroom education, the evaluations will strengthen accountability and identify the system's strong points. Ontario will have a cost-effective testing program that responds to public calls for closer scrutiny and greater accountability in education. Through testing and reporting, we will provide our taxpayers with a clear, objective picture of how our education system and students are performing.

Like Bill 31, Bill 30 is a vital component of the government's long-term investment in Ontario's education system. I'd like to say, in advance, how much I look forward to listening to taxpayers, parents, educators and my colleagues in the weeks ahead to ensure the best possible legislation is passed as soon as possible.

**The Vice-Chair:** Thank you very much, Mr Skarica. That came as a bit of a surprise to me. I would have thought that would have been something that would have been discussed at the subcommittee meeting, that there were going to be opening statements by the different parties, because we have the agenda set for the first witness to be heard by 3:30, so we are going to be backed up now by—yes, Mr Wildman.

**Mr Bud Wildman (Algoma):** In the second reading debate, as you know, I was summarily cut off at 6 o'clock when I was only halfway through. I'd be glad to give the other 40 minutes of my presentation here.

**The Vice-Chair:** Well, maybe you can do that after 6 o'clock.

**Mr Wildman:** I'd rather listen to people who are here for delegations.

**The Vice-Chair:** Are there any comments before—

**Mr Patten:** Firstly, I hope Toni appreciates the courtesy we afforded because he wasn't on the agenda. Secondly, rather than just respond to the comments which are essentially a reiteration of the introduction of the bills in the House, I would rather the full time allocated to our witnesses is reinforced and that it does not take away from any of that.

**The Vice-Chair:** Okay, Mr Wildman, any comments?

**Mr Wildman:** Oh, no, I just made mine. I'm here to listen, not to—

**The Vice-Chair:** Unless I hear something to the contrary, I think we should give each delegation that's listed at least a half an hour; so we may go 20 minutes longer than originally scheduled.

## INFORMATION AND PRIVACY COMMISSIONER

**The Vice-Chair:** Once again, welcome, Mr Wright. You have 30 minutes to make a presentation and you may want to leave some time at the end for questions and answers from the members of the committee, which is all part of the 30-minute package. Go ahead, sir.

**Mr Tom Wright:** I can assure you there will be plenty of time for questions; my remarks this afternoon are brief. I'm not sure why I seem to have the honour of being the first person to come before you. But with me this afternoon is Ann Cavoukian. Ann is the assistant commissioner with responsibilities for privacy matters. David Good is to my right. David is a lawyer in my office. They're here this afternoon to—again if questions go beyond my ability to respond, they're here and I'm sure can assist members of the committee as we go through the comments I have.

Specifically, I will be sharing with members the comments we have relating to the personal information issues which arise from Bills 30 and 31. I'd also like to inform the committee that we have met with staff from the Ministry of Education and Training concerning these issues, and I intend to bring the committee up to date on the discussions we've had with the ministry.

The meeting took place last Thursday, and I can tell the committee that, speaking on behalf of my office, we now have a greater and better understanding of the operational issues faced by the ministry, which they hope to address in these bills.

1550

I also want to indicate that I appreciate the opportunity of that meeting. It will allow me to comment in a more informed and, I think, more effective way this afternoon with respect to some of the issues we are discussing.

Ministry staff at that meeting made it clear that they understand the privacy concerns we've raised, and I am pleased to say that, in my view, have demonstrated a real sensitivity, both for the privacy issues and the role of my office, in attempting to resolve them.

I turn first to Bill 30. If the EQAO, if I may use that short form, were to be designated as a scheduled agency covered by the access and privacy provisions of the Freedom of Information and Protection of Privacy Act, it would go a considerable way to alleviating our general concerns about the creation of an agency which has broad powers to collect personal information, both directly and indirectly.

**Mr Wildman:** I'm sorry. Could you speak—

**Mr Wright:** I'm sorry. As a scheduled agency.

**Mr Wildman:** Okay.

**Mr Wright:** I will actually take you to the next point, which is that, based on the discussions we had last Thursday, it is my understanding that the ministry intends to do this. I understand they will be consulting with the freedom of information and privacy office in Management Board which has responsibility for these matters and to discuss this a little more fully. That's my understanding of where that stands.

Bill 30 also grants broad powers to collect "theoretically"—and I put quotation marks specifically around that word—unlimited types and amounts of personal information. There is a limit; that limit is for the purposes of carrying out the objects of the office. I would also note that the objects themselves—I think there are seven in number—are themselves quite broad.

Which leads me to the remark that there is a danger in not being as specific as possible in identifying the purposes for which personal information can be collected and the type of information to be collected in those circumstances, since it appears that most of the information collected may, by its nature, come from and relate to students, this is of particular concern.

As a way to address this, we encourage the introduction of an anonymity clause in the bill, which could provide direction for protecting the privacy of individuals—and I would emphasize the following words—wherever possible.

My recommendation would be that, except for limited specific exceptions, personal information be collected and disclosed in an anonymous fashion, thus protecting the privacy of individuals while still gathering the information necessary for the office to carry out the assessments and analysis its object is intended to permit it to do.

Again, this was discussed at the meeting we had and since that meeting we've provided the ministry with a sample anonymity clause for their consideration. We have not heard back from the ministry at this point and I think time alone would not indicate that would be much of a surprise.

The other thing I'd like to comment on before I move to Bill 31, and it is a general comment from a privacy perspective, is that I think this bill benefits from tighter language in the personal information area and less use of regulation-making power when it comes to the purposes for personal information. I think the drafters thought very carefully about the personal information issues when putting together the various provisions that talk about the collection and disclosure of personal information and, in my opinion, they are to be complimented.

Turning to Bill 31, the concerns we have expressed related to Bill 30, the broad powers to collect personal information and the need for an anonymity clause, also apply to Bill 31. I would also note that the College of Teachers will not be covered by the Freedom of Information and Protection of Privacy Act.

I don't feel able to fully explain why that is. We did discuss this at our meeting and, to my mind, it does make sense as to why it wouldn't be designated as an agency, but I would defer to others around the specifics of why

that is. All I would indicate to the committee is, I'm satisfied that the reasons we were offered do make sense.

The types of personal information that the minister may collect from and disclose to the proposed College of Teachers are very broad. The college may be required to examine a number of potentially delicate situations and broad powers are granted to investigators.

I would suggest that there be some guidance regarding the type of personal information that can be collected or disclosed and the requirement to do so in an anonymous fashion, wherever possible, and this would provide greater privacy protection to the individuals involved. Once again, the ministry is aware of that and is considering how they might be able to respond to that particular direction.

We've also asked that consideration be given to the means of maintaining the current privacy rights of individuals, such as access to their own personal information, once functions currently provided by the ministry are turned over to the college. This matter was discussed with ministry officials at the meeting, and it appears there is a mechanism for doing this kind of thing. What I'm talking about is right now under the freedom of information legislation, you have a right of access to your own personal information.

The question that arises under Bill 31 with the college is where would a similar right exist, since the act doesn't apply? How would it be created? My understanding is that this can be done either through a form of regulation or possibly through a bylaw that would be created by the college, thus permitting individuals who would have a file with the college to have access to their own personal information, which is a very fundamental privacy right which is enjoyed by people who have files with other government agencies.

The last point relates to the contents of the proposed public register. I'm pleased to note that processes have been developed which are privacy-sensitive, but it's still my view that there is the potential that more personal information than necessary could be included in the register, which is available to the public. I think it's a very difficult issue in terms of the balance between the public's right to know, what the public should know and the privacy of an individual teacher whose name and other details may appear on that register.

So what we've suggested, and this came after we'd had the meeting with the ministry, was that we would offer the assistance of my office to design some kind of parameters, privacy-sensitive parameters, I would call them, before the register is actually made operational. There was an experience earlier on with one of the regulated professions—I believe it had to do with nurses—and our office received a large number of letters raising concerns that one of the things a member of the public was entitled to obtain about nurses was their work location. A lot of nurses, I think we all can recognize, are female. There was a concern around safety if in fact their work location was available to literally any member of the public. When you have a public register, there is no obligation to go in and say, "I want to find out this information because I want to know more about this teacher." The fact is, when it's public, anyone can go and



look at it for any purpose. I'm certainly not suggesting this is something the college is contemplating; in fact, quite the contrary. I just raise it as a sample or an example of the kinds of concerns when you start making information available on a public register.

To keep your committee moving along this afternoon, Mr Chair, I'm going to conclude my comments at that point. I'm more than happy to try to answer any questions members may have.

**Mr Patten:** Welcome, Mr Wright, and your staff. I have a couple of questions and then my colleagues to my left may have a few questions as well.

I'm pleased that indeed the meetings have taken place. There was one thing you said at the end, and that was that in terms of Bill 31, the college would not fall under the act as such. However, in spite of that, you have made some suggestions that you believe the ministry is responding to in terms of the concerns that have been raised. I would say to you that we have received, as I'm sure all members have, and certainly the critics and the government, some grave concerns about the nature of the information, about the issue of confidentiality, the concern around the extent.

In terms of our caucus, our belief was that there were similar concerns raised as a result of Bill 26: Was this truly necessary, all of the gathering of this information? Some of it being personal and sensitive we felt could certainly contravene the spirit of the act, if not the act itself, even though it may not technically fall under the act.

The question I would have, though, first on Bill 30, with your discussions related to anonymously collected information where the information is deemed personally sensitive, in your opinion, would that satisfy or be equated to the confidentiality provision that would be actually in Bill 31?

1600

**Mr Wright:** Actually, there are two ways of looking at that. Where I would begin in terms of responding would be that you're in the act under Bill 30, and I think that in itself changes the dynamics of the situation. You've got the privacy rules the legislation contains, which I think put a very real control around the collection and disclosure of information.

To pick up on your comment about Bill 26, I was quite deliberate in the remark I made around the drafting, because I to think it makes a very real difference when you can actually see that personal information is being collected and it's tied to objects which appear in the statute itself. I think that makes a difference, as opposed to the possibility that at some later date objects or personal information or something would be defined in a regulation that you may or may not see, depending on timing. The whole structure of the bill and the approach just make a very real difference as far as the protection that is there for personal information is concerned.

Just one final comment: On the anonymity, the reason why we're stressing anonymity in these comments is that it's all well and good to say you can collect personal information and you have a confidentiality provision and it has to be protected, but once you've captured something in identifiable form, there is the possibility for

inadvertent disclosure. Who knows what might happen to that information? Our thinking is that if you don't collect it in identifiable form in the first place, then you eliminate a lot of the potential for the risk of inadvertent disclosure. We see this as a compromise that will allow everyone to achieve what they want and also to protect privacy.

**Mr Patten:** This was your offer to design the registry itself in terms of the information that would be relevant to decision-making or for access, right?

**Mr Wright:** I'm sorry?

**Mr Patten:** This is in relation to the registry? No, I'm sorry, on Bill 31, your offer to help design the nature of the registry in terms of the information that would be collected or may be required to make a decision, which the public would have access to.

**Mr Wright:** Right.

**Mr Patten:** Your comment was that the ministry agreed with that offer that you had made?

**Mr Wright:** No, my comment was that this was something that, as we were preparing for coming to the committee, came up after we met with them.

**Mr Patten:** So this is a suggestion of yours?

**Mr Wright:** It is and we would certainly want to pursue that with the ministry and would expect that we'll have further meetings as well when that would be discussed.

**Mr Dominic Agostino (Hamilton East):** As Bill 31 now stands, does this give the investigators the right to, as you understand it, enter the residence of a teacher they may be investigating based on a procedure of getting a warrant of some type? Does this bill now give that power to an investigator to do so?

**Mr Wright:** I looked at that section and that would be my reading of it. As I understand it, I would indicate to you that hasn't been a major area of focus, but as we read the sections, there's a two-part process. If it's a place of employment, there's one procedure. In accordance with the standard search practices that go on, if you're going to move in a way which affects the person's home, then there has to be some involvement of the judiciary before that can happen.

**Mr Agostino:** The concern I would have, just elaborating for a second here, is that clearly what you're doing is giving investigators at this point generally what only police officers across the province would have after going through a certain procedure. There have been concerns expressed. I have a copy of a letter sent to our education critic, and other members have received it as well, about whether this process can be used for witchhunts. Is there a danger, in the way the legislation is now in regard to the protection of privacy, that issues of a personal nature can be disclosed, and also the gathering of information? It talks about things like hearsay information, sexual orientation, psychiatric/psychological history, those kinds of facts. There's a real concern that it can be used as a political agenda and a witchhunt to go after a teacher based on any of those factors rather than the merits of the thing. Are you concerned, with the way the legislation is stated now and the sweeping powers it does give the investigator, that it becomes a potential danger for teachers across Ontario?



**Mr Wright:** Any time you offer or provide someone search powers, you're setting up the potential for things going the way they shouldn't. I don't think there's any way you can avoid that. It is a very significant power. Where I think, once again, the legislation makes its distinction relates to certainly moving into the home, where there is the involvement of the judiciary. There would have to be affidavit material provided to a justice of the peace and they would then sanction a search for particular kinds of documents. I think that kind of control is in place. My understanding, and I would have to defer to others on this, would be that the rest of the practices do follow the normal kinds of search powers that would exist not only here but in other types of legislation where regulation has been introduced.

**Mr Wildman:** Quickly, I must say that during our debate at second reading of Bill 30 I raised the issue of why there would be this requirement for personal information and what kinds of purposes it might be put to for Bill 30. I note that you've said that you've suggested an anonymity clause to the ministry staff. Would you be prepared to table to the committee a sample clause that you've provided them so that we are aware of the wording you're proposing?

**Mr Wright:** Sure. I'd be glad to do that.

**Mr Wildman:** That's fine. That's good. Then I won't pursue that.

You also indicated on Bill 31 that the college is not covered by the freedom of information and privacy act and that you had discussions with the ministry staff as to why that was, what the reasons were. You said you were satisfied with the reasons given. Can you paraphrase or summarize what those reasons were?

**Mr Wright:** Sure. I'll do my best. My understanding is that it has to do with the nature of the way it's structured, how it's set up, how members are appointed, this kind of thing. I'm looking for the right word here. It's distanced from the normal scheduled agencies that you would see, the agency, board and commission type of operations, and it's just that much more removed from the general ambit of government organizations that, following the kinds of rules that are in place for deciding what agencies should be covered by FOI and privacy legislation, this does not fall within that. Again, I'd be happy to go back and discuss with the ministry people more detail and provide it to you. Or perhaps, if they're somewhere on your agenda, they could do it as well. Either way, I'm more than happy to provide the information.

**Mr Wildman:** I think that would be helpful, if you could.

Also, my concern is that since they're suggesting that questions around right of access, public access to personal information could be dealt with by regulation or bylaw, the problem with a regulation or a bylaw is that it can be more easily changed than if it's subject to your act, since that would require an amendment in the Legislature if it were to be changed.

Also, just in terms of the public register, you indicated that you had some concern about the potential for more personal information being made available to the public than necessary. There has been concern raised—this was

raised by one of my colleagues here—that personal information, such as sexual orientation, might be collected and might be a problem obviously for the individual and his or her family if it became public. You're offering now to help design some parameters for this. Would the parameters that you're dealing with deal with that particular concern that has been raised by some members of the teaching profession with regard to that minority of people for whom that might be a serious problem?

**1610**

**Mr Wright:** I think it flows back to the use of the word "necessary" and balancing the public right to know with privacy concerns. I think you're quite correct when you say that the balance will shift, depending on the kind of information we're talking about. An example is sexual orientation. I would suggest areas around health information. As soon as you move into that, then the balance would weigh in favour of the protection of individual privacy as opposed to the public right to know. It's a very difficult issue to address when you're trying to define something like balance, and where does the balance lie. But one of the options we would offer could well be to identify certain kinds of information that, *prima facie*, presumptively, should never appear on a public register. That is an approach we, in fairness, have not thought through, just exactly what we'll be proposing here, but I think there are various options for doing it.

**Mr Wildman:** If I could just ask the parliamentary assistant if the ministry would be interested in having those kinds of—I don't think he's listening to me—

**Mr Skarica:** Yes, I am.

**Mr Wildman:**—discussions with Mr Wright and his staff to develop a list of the kinds of information that should not appear as part of the personal information that might at some point be made available, for whatever reason, to the public?

**Mr Wright:** I made the offer and I'm certainly in the ministry's hands as far as how they choose to respond.

**The Vice-Chair:** The six minutes is up. Thank you.

**Mr Wildman:** I'm just asking if you'd be interested, that's all.

**Mr Skarica:** I'll just follow up on that in my questioning.

Mr Wright, thank you very much for coming today. I'd like to refer you to your letter that you wrote to the ministry on March 26, 1996. You had outlined a number of concerns you had with the legislation as proposed at that time. Is that correct?

**Mr Wright:** That's correct, yes.

**Mr Skarica:** Since then you've had some meetings with the ministry, I understand? I think April 11 was the last meeting.

**Mr Wright:** We have.

**Mr Skarica:** In Bill 30, the major concern you had was with clause 27(1)(d)?

**Mr Wright:** It was one of the areas we identified. I wouldn't describe it as a major concern. In fact, I'm glad you've raised it because it pointed out the value of the meeting. We received a clarification of what clause 27(1)(d) was about and we're satisfied that the concerns that we had didn't exist.

**Mr Skarica:** All right. With reference to amending that particular section, are you content with the way it's worded or do you have any suggested amendments to address the concerns you had in this letter?

**Mr Wright:** There was a suggestion that came up at the meeting last Thursday, and it had to do with tying in the objects of the office somewhere within the wording of the particular section itself. It wasn't a major change. This was, as I recall, going to be discussed with legislative counsel to see if it was a workable solution. It wasn't a major concern, but it was one that we felt might be included as a matter of consistency with certain other collection and disclosure sections.

**Mr Skarica:** Has the ministry indicated to you that it will give you a copy of the proposed clarification, if any, or a proposed amendment, if any, before we proceed?

**Mr Wright:** We hadn't got to that point in our discussion. I guess I've assumed that there will be further back-and-forth. I see no reason why not. We had an excellent meeting.

**Mr Skarica:** I can tell you there will be.

**Mr Wright:** That's good. I'm pleased to hear that.

**Mr Skarica:** Moving to Bill 31, the College of Teachers, again referring to that same letter dated March 26, 1996, if I could go to page 3 of that letter, you seem to have what I—

**The Vice-Chair:** Is that a letter that has been filed with the committee?

**Mr Skarica:** It certainly can be.

**The Vice-Chair:** Thank you. It's just that we have some reference points then.

**Mr Wright:** I'm sorry, I wasn't sure whether members of the committee had seen the letter or not.

**Mr Skarica:** I thought they had too, but I've been mistaken about that.

**Mr Wright:** I hadn't circulated it.

**Mr Skarica:** If I can go to page 3 of that letter—again, you can correct me if I am wrong—your two main concerns seem to be with the anonymity clause?

**Mr Wright:** Yes.

**Mr Skarica:** After your discussion with the ministry, were you satisfied with any proposed changes or do you have any amendments you would suggest in that area?

**Mr Wright:** Specifically related to anonymity?

**Mr Skarica:** Yes.

**Mr Wright:** I don't believe our discussions have proceeded to the point of how the ministry has responded to it. It was a suggestion tabled. The ministry agreed to go away and think about it. At this point, we've not had any more discussion. We provided a sample clause, and I believe that's where it stands.

**Interjection:** No resolution.

**Mr Wright:** That's been confirmed for me. There's been no resolution of that.

**Mr Skarica:** Moving finally to the other concern you had about the right of teachers to have access to their own personal information, what's the status of your discussions with the ministry in that regard?

**Mr Wright:** It was an interesting discussion when we raised it because the person—I'm not sure whether you call them acting registrar or the person who will be looking after the college, but the response was: "Well, of

course. We really didn't think of that. It won't be a problem. It'll be done in a bylaw or something of that way." There was certainly no issue around any objection or opposition to the notion that someone would have access to information about themselves in a file maintained by the college. That's by way of my concern, and I felt that had been addressed.

**Mr Skarica:** It's my understanding the ministry intends to meet with you again. Would you be prepared to provide the ministry and the committee with copies of amendments you're proposing?

**Mr Wright:** Absolutely. Anything that we are involved with we'd be happy to share.

**The Vice-Chair:** The same thing applies to the earlier matter that was raised with Mr Wildman. If you could forward it to the clerk of the committee, Lynn Mellor, we'll make sure it gets distributed.

**Mr Wright:** I'd be happy to do that.

**The Vice-Chair:** Thank you very much for your presentation.

#### ONTARIO TEACHERS' FEDERATION FÉDÉRATION DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

**The Vice-Chair:** Next we have the Ontario Teachers' Federation: Ronald Robert, president, and Pierre Lalonde, acting secretary-treasurer. Welcome to our meeting, gentlemen. You have 30 minutes for your presentation. That includes any questions and answers, so you may want to leave some time at the end of your presentation to allow for that to happen. If you'd like to introduce yourselves for Hansard's purposes, you can then proceed.

**M. Ronald Robert :** Vous allez peut-être avoir besoin d'écouteurs à certains moments donnés dans cette présentation. Je ne sais pas si les gens sont équipés. Vraiment, je suis en train de vous préparer pour la prochaine présentation, qui sera toute en français.

Mon nom est Ronald Robert. Je suis le président de la Fédération des enseignantes et des enseignants de l'Ontario. Avec moi aujourd'hui j'ai deux collègues : le secrétaire-trésorier par intérim de la FEO, Pierre Lalonde, et le président du comité de législation de la FEO, Guy Matte, qui est aussi directeur-général de l'Association des enseignantes et des enseignants franco-ontariens.

Ce mémoire que nous vous présentons aujourd'hui est de la part de la Fédération des enseignantes et des enseignants de l'Ontario. Nous représentons 130 mille enseignants qui oeuvrent dans les écoles publiques et séparées de langue française et de langue anglaise. Notre mémoire a reçu l'appui des cinq filiales de la FEO.

Notre présentation aujourd'hui comprend deux volets. Premièrement, nous élaborerons nos préoccupations en ce qui concerne la présente législation, le projet de loi 31. Ensuite, nous préciserons des changements spécifiques que nous mettons de l'avant pour la considération du comité.

The Ontario Teachers' Federation and its members have not asked for a College of Teachers to be created and we do not believe that a new structure as proposed in Bill 31 is necessary.



Some of the functions proposed for the college are presently carried out by OTF, in particular in the area of discipline of teachers. Furthermore, OTF has sought since 1992 to have the regulations made under the Teaching Profession Act amended to allow for representation by the public on its relations and discipline committee to provide for a wider range of sanctions and more openness in terms of public disclosure. The OTF represents the teaching profession in this province, and we believe it can perform the duties and responsibilities that would be attributed to a college, for example, teacher certification, the establishment of a registry and the accreditation of teacher training programs.

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In September 1995 the federation requested the minister to consider granting to OTF the powers and functions of a College of Teachers, and we believed the minister was prepared to seriously consider this matter. We were deeply disappointed when Bill 31 was tabled for first reading on December 14, 1995, and those discussions had not taken place.

For teachers in Ontario the creation of the Ontario College of Teachers as outlined in this legislation merely establishes another bureaucracy that complicates their lives and does nothing to make teaching a self-governing profession. The proposed legislation is unnecessary since teachers are already accountable to their school principals, to their school boards and to the federation through the Teaching Profession Act. In addition, more than many other professionals, teachers are accountable on a daily basis to their students and their parents. There are also well-established evaluation processes in place with school boards. Finally, teachers believe in, and model, lifelong learning.

Having reviewed Bill 31, the federation has many concerns, but in particular in the following areas: the structure of the governing council; the investigative powers; the issue of ongoing professional development; the powers of the minister; the question of incapacity and incompetency; and the areas of natural justice and due process within the scope of this legislation.

The proposed legislation, which purports to make of the profession a self-regulating body, will have a significant impact on the lives of every single teacher in Ontario. OTF believes that its membership, working in all the publicly funded elementary and secondary schools of Ontario, will make up more than 90% of the members of the college. Therefore, you will understand that OTF is disturbed and concerned that the federation, its five affiliates and many individuals and groups of teachers have been given little or no time to present their views and concerns to this committee on such an important piece of legislation.

For those reasons, OTF honestly believes that it would be to the detriment of the Ontario education system to have a model of self-governance go forward without the enthusiastic endorsement of the teaching profession. We assure you that the model as proposed under Bill 31 does not have the endorsement of the teaching profession, and for that reason in particular, we urge you not to lightly dismiss OTF's concerns regarding this legislation.

We have expressed these in the following pages by proposing both amendments and comment. Once again, we urge each member of this committee to give these serious consideration at this hearing and, in particular, when the committee will undertake the clause-by-clause study of Bill 31.

I will now ask the acting secretary-treasurer, Pierre Lalonde, to pursue certain of the elements within the bill.

**Mr Pierre Lalonde:** Thank you very much, Mr President, Mr Chairman, members of the committee. Following the introduction made by President Robert, you will note that our document has 84 pages. Thank God, for you and for us, there are a number of pages where on occasion there are no proposals from OTF or no comments from OTF.

I'm sure the members of the committee understand that this particular piece of legislation means a lot to someone who is a teacher. I would suspect that members of the general public are probably not that interested in such a bill, but for us as teachers and the 130,000 of our members, this means a lot. As the president indicated, our legislation committee, knowing the concerns of our members out there in the field, spent many, many hours going over each clause and each word, if you wish, of this particular Bill 31.

Obviously on paper it is difficult for us to express all of the thinking that is behind each one of those amendments. The legislation committee, knowing full well—and Ron referred to that in his presentation a few moments ago—the fact that OTF believes it would be to the detriment of the Ontario education system to have a model such as the one proposed in Bill 31, a model of what is supposed to be self-governance, if that particular model were to go forward without the enthusiastic support of the teaching profession, I repeat, we honestly believe it will be to the detriment of the education system; not just the teachers, the whole system. It is with that in mind that the OTF legislation committee spent the many, many hours looking at each clause of this bill.

President Ron indicated in his introduction that OTF still believes this legislation is not necessary, but it certainly appears there is some determination that this or some kind of legislation creating a College of Teachers will go through, so in examining clause by clause, we sort of resigned ourselves to having some kind of legislation being passed in the House. We looked at each clause, and with a lot of effort we have tried to propose changes to this bill which would be such that it would get some kind, maybe not 100%, but some kind of endorsement from the people whom this bill will affect, the 130,000 teachers of Ontario and certain other members of the profession.

We would have hoped, Mr Chairman and members of the committee, to be able to go through this on a page-by-page basis with you and discuss and explain to you the rationale behind each of our amendments. We realize, and Ron made a reference to that in his introduction, that in a half-hour that will be impossible to do, when we consider that we probably spent anywhere between 15 and 20 hours studying the bill.

What I would attempt to do—and I would hope that my colleague the chair of our legislation committee, who



walked us and guided us through the bill, would feel free at any time by indicating to the Chairman that he may want to clarify or add to some of the comments I might be making—we indicated in the introduction that we tried to highlight six large areas of concern.

I would like to make my first comments and direct the attention of the members of the committee to that area of the bill which deals with the representation of teachers as they are defined in the Teaching Profession Act, on the council and, I would suggest, also on two of the committees, the investigation committee and of course the discipline committee.

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The first reference to composition or representation on council is made on page 4, so under that particular clause there is a reference there to the composition of the council. You can see what is being proposed in the bill and the amendments we are making in the middle column. Particularly I'm referring to clauses 2(a) and (b).

On page 22, the bill talks about the representation on the investigation committee, and a few pages further, on page 26, there is a reference also to representation on the discipline committee.

It is our belief that for a College of Teachers whose intent is to make the teaching profession a self-regulatory body, to us it is quite clear that the members who are most affected by it should have a clear majority on the council in particular, and also on the investigation and the discipline committees, two committees which will affect the lives of our teachers.

I am not going to walk you through the content of our amendments, but I just want to bring to the attention of the members of the committee that as to membership on the council, investigation committee and discipline committee, having a majority of teachers is critical to us and to our membership if you are looking for some kind of endorsement of a college in Ontario.

**Mr Wildman:** Excuse me, can I just ask a very short question? Page 26, is that supposed to be 13 or 15, subsection 26(1)?

**Mr Lalonde:** You're talking of page 26?

**Mr Wildman:** Yes. Section 26 on page 26, sub 1, is that supposed to be 13 persons or 15?

**Mr Lalonde:** We're saying 13 here.

**Mr Wildman:** It says "of whom 4...and 11."

**Mr Lalonde:** Yes, we have an error there. That should say probably 15, yes. Our apologies. We were still discussing some of these amendments with legal counsel as late as yesterday.

With your permission, I would like to make a few comments on part VIII of the legislation, which in our document you will find beginning on page 43. On that particular part of the document, part VIII, "Registrar's Powers of Investigation," I think it would be fair to say that at first reading of this bill this is the part that probably turned off most of our people.

You will note that in the OTF proposal our amendment is quite succinct and simple, "Delete all of part VIII," and we felt quite strongly about that. Then I guess we probably took some kind of connecting flight to reality and said, "What are the chances of part VIII disappearing totally from the bill?" I think our conclusion was they are

pretty slim. Therefore, we gave it some more thought and we are suggesting on page 43, you'll note in the last column, "Should it be determined that all of part VIII is not to be deleted, we would then propose the following amendments," and you will find those in the third column of pages 44 and 45. I think that about covers it. Also, a last bit which deals with section 36, which again is under part VIII, you will find in the middle column an amendment we are proposing, and I suppose we could have put that in the third column.

I don't want—because I know we don't have the time, but we believe, as a first choice, that when we say, "Delete part VIII," that is our first choice. Coming back to what might be the reality, we would hope and seriously urge this committee to consider those amendments we are proposing under part VIII, if there is no wish on the part of the House to delete part VIII.

The third large area of concern dealt with that notion of what is referred to in the bill I think as "ongoing education" or what we as teachers refer to usually—the terminology we use is "professional development." I'm using those as synonyms, if you wish. There are a number of references. I'm not going to name them all, but if you turn to page 51, the paragraphs are part of section 37, which is either the regulations or the bylaws; I forget. If you look at paragraphs 21, 23, 24, 29, there are references there made to ongoing education/professional development.

The Ontario Teachers' Federation believes that professional development/ongoing education is part and parcel of teachers' lives ever since teaching was invented, and we do not believe this should be a concern of the college. Those are just samples, but you will note throughout the bill, whether it be that section dealing with bylaws or regulations, any reference made to ongoing education and/or professional development, OTF suggests be deleted. Did you want to add anything there, Guy?

**Mr Guy Matter:** No.

**Mr Lalonde:** In Ronald's introduction, we made reference to an area of the bill which is of concern to us which we described as the question of incapacity/incompetency. I would refer the Chair and the committee to page 11 of our analysis. Under section 15, OTF is proposing an amendment there that where we say, "The council shall establish the following committees," we are suggesting a fifth committee be added. I don't know what it will be called. We're suggesting here a name such as fitness-to-practise committee.

We believe it is not appropriate for a discipline committee to deal with people who are not fit to teach, if you wish, because of either a physical condition, a mental condition or disorder. That is not a question of discipline and it should be treated in a totally different manner, and we are suggesting here in our proposal that by having this fitness-to-practise committee which exists in other professions, it would be more appropriate to handle those physical and/or mental conditions or disorders.

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We make two or three other references where under the current proposals, we have pulled out—I won't bring them to your attention at this time but I think it's clear in our brief—where either under the regulations or the

bylaws we have indicated that particular clause being proposed in the bill would shift to this section dealing with a fitness-to-practise committee.

Finally, on the very last page of our brief to you, we've added a brief comment there. The incapacity proceedings and the fitness-to-practise committee, in particular we looked into the Regulated Health Professions Act, and that route, particularly under nurses, I believe, and medicine has a number of valuable features which we would be more than pleased, at some future time, to sit down with either members of this committee or any other appropriate group to discuss with you, hopefully, before the legislation is passed.

The other main area of concern deals with the area of the powers granted to the minister. I won't point out, because there are a number of them here, and hopefully members of the committee will look at each of our proposed amendments and our comments, it is our understanding and belief that if the college is to be, it should be as arm's-length as possible from the minister, and therefore the suggestions we are making for serious consideration you will find are to make the proposed college as arm's-length as possible from the minister.

I realize our time is passing quickly. I will address the last major area of concern we have and that is the area of natural justice and due process. I will refer you to, starting on page 23, I believe—most of our concerns regarding natural justice and due process are related to those aspects or those parts of the bill which deal with the investigation committee and of course the discipline committee.

Starting in section 25—and I refer here on page 24, for example, in the middle column of pages 24, 25 and 26 for that particular section, you see we have a whole number of amendments that are proposed and the majority, if not all, of these amendments are to better deal with what we consider are those issues of natural justice and due process.

If the chair of our legislation committee has nothing to add, that will end my part of the presentation.

**Mr Wildman:** I obviously will go through your presentation and the amendments. I'll just use one: the structure of the governing council as proposed. You're suggesting on page 26, and also on page 4, a change in the discipline committee, that the total number, as I read it, should be 24, that 18 of those should be elected by members of the teaching profession and should be members of the teaching profession, that you want a clear, substantive majority of members of the teaching profession. In your view, that's required for it to be a truly self-regulating body, is that correct?

**Mr Lalonde:** Yes, and of the 18, we're saying that 15 should be teachers as defined under the Teaching Profession Act.

**Mr Dan Newman (Scarborough Centre):** Good afternoon, M. Lalonde, good to see you again. I'll have to be brief. You mentioned that if the College of Teachers is implemented, or once implemented, it would be to the detriment of the entire education system.

**Mr Lalonde:** If.

**Mr Newman:** If. Can you briefly, in the one minute we have, tell us—

**Mr Lalonde:** All I'm suggesting is that if the college wants to operate and those who are its members hate it, fight it etc, that's not going to be very good for education in Ontario. If the bill stays as it is, I have fears that they'll hate it and fight it.

**M. Patten :** Premièrement, je veux dire que c'est évident que vous avez fait beaucoup de travail sur ça, et j'espère que ça va nous aider.

I don't know if you heard our opening comments in the House, but the points you raised are important. Obviously, a self-regulating professional body that is hated and dreaded by the majority is not a good premise on which to build. However, I appreciate your very positive suggestions. Like you, having heard some of your affiliates raise issues of concern about the ominous powers of investigation, the issue, for example, of incapacity and incompetence, I think that's a very good suggestion. I like the suggestion of a committee that takes it out of the realm of some kind of unprofessional behaviour. When someone is ill or somebody becomes incapacitated or disabled, truly it does not belong in that kind of situation and in the area of due process.

On representation, I believe likewise that if you trust a profession, you must demonstrate you trust it by awarding it a significant, clear majority. In the present model, my fear is that if a classroom teacher is ill and all of a sudden not able to attend a meeting, it's such a delicate balance, and even that's in question. On that I would support and hope the committee will address that concern as well.

**Mr Robert:** It would be important that we have the right motives to want to establish a College of Teachers. If we're trying to be vindictive or trying to put teachers or affiliates in their place, those are the wrong motives. If I were in the classroom and I had motives like that in front of children, I'm sure you would put me in my place, and I would deserve to be so. If we're going to have a College of Teachers, let's have it for the right reasons, but first consider what we're bringing forward here, that we should not put in another bureaucracy.

**The Vice-Chair:** Your time has expired, sir.

**Mr Robert:** Okay. Just on EQAO, we're not making a presentation, but we've left the document with you to read.

**The Vice-Chair:** Thank you very much for your presentation.

**Mr Lalonde:** The suggestions in this one are as great as in the other.

**The Vice-Chair:** I'm sure they are.

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ASSOCIATION DES ENSEIGNANTES  
ET DES ENSEIGNANTS FRANCO-ONTARIENS  
FRANCO-ONTARIAN TEACHERS' ASSOCIATION

**The Vice-Chair:** Next we have l'Association des enseignantes et des enseignants franco-ontariens, M. Roger Régimbal and M. Guy Matte. Bonjour. You have half an hour, which includes time for questions and answers.

**M. Roger Régimbal :** Je me présente : Roger Régimbal. Je suis le président de l'Association des enseignantes



et des enseignants franco-ontariens, l'AEFO. J'ai avec moi aujourd'hui, qui m'accompagne, mon directeur-général, M. Guy Matte.

L'Association des enseignantes et des enseignants franco-ontariens apprécie le temps mis à sa disposition par le comité permanent des Affaires sociales de l'Assemblée législative de l'Ontario. L'AEFO représente les 7000 enseignantes et enseignants qui oeuvrent dans les écoles de langue française de la province. L'AEFO est une filiale de la Fédération des enseignantes et des enseignants de l'Ontario, la FEO. En tant que telle, l'AEFO appuie totalement les recommandations et les amendements au projet de loi 31 proposés par la FEO.

En début de présentation, nous tenons à signaler notre insatisfaction vis-à-vis de la façon cavalière avec laquelle l'actuel ministre ainsi que l'ancien ministre de l'Éducation traitent les enseignantes et les enseignants de la province. En effet, dans tous les discours que nous avons entendus jusqu'à présent, l'Ordre a été présenté d'une part pour favoriser la prise en charge de la profession enseignante par les membres de la profession et, d'autre part, pour servir et protéger l'intérêt public. Or, le projet de loi 31 n'offre pas une vision adulte de la profession mais plutôt un encadrement qui laisse entendre que la profession doit être contrôlée. En plus, ce contrôle doit être fait au niveau de l'Ordre par des non-membres de la profession qui y seront majoritaires. En même temps, le développement de ce projet de loi n'a pas permis et ne permet toujours pas une rétroaction valable pour faire valoir les préoccupations légitimes des enseignantes et des enseignants.

Votre comité n'aura entendu que trois heures de présentations de la part des représentantes et des représentants des 200 000 enseignantes et enseignants qui formeront cet Ordre. Voilà l'étendue de notre participation à l'élaboration de ce projet de loi.

Lorsqu'on sait que la Loi sur les professions de la santé réglementées a eu une période de gestation de plus de cinq ans, il est extrêmement difficile pour nous de voir ce projet de loi comme étant positif. Nous ne le voyons pas comme tel et nous sommes persuadés qu'après son adoption, cette loi contribuera à créer un climat de tension entre les enseignantes et les enseignants et cet Ordre. Ce n'est pas avec dynamisme que l'on entrevoit l'avenir de la profession si le texte proposé est adopté tel quel. Il y a lieu d'y faire des modifications importantes pour changer le ton et le message de ce texte de loi pour vraiment refléter ce qui est visé, c'est-à-dire la prise en charge par la profession.

L'AEFO veut signaler trois préoccupations particulières vis-à-vis du projet de loi créant l'Ordre des enseignantes et des enseignants de l'Ontario : premièrement, les services en français ; par la suite, la représentation francophone au conseil de l'Ordre ; et finalement, les élections.

Les services en français. Le projet de loi, à l'article 41, ne fait qu'une brève mention des droits qu'auront les membres francophones d'utiliser, dans leur rapport avec l'Ordre, le français. À l'alinéa 41(1), le droit est affirmé, mais il est aussitôt limité par les alinéas (2) et (3). Le français dispose d'un statut particulier comme langue d'éducation en Ontario. Ce statut a été reconnu par les

cours de justice ainsi que par le ministère de l'Éducation et de la Formation lorsque la province s'est engagée sur le plan de la gestion des conseils scolaires par les francophones. L'Ordre devrait reconnaître cette réalité, et l'AEFO croit qu'un énoncé à cet effet devrait apparaître dans le préambule de la Loi créant l'Ordre des enseignantes et des enseignants.

De plus, l'article 41 du projet de loi devrait comprendre un article semblable à celui que l'on retrouve dans la Loi sur les professions de la santé réglementées qui définit le mot «rapports».

Le terme «rapport» s'entend de tout rapport ou service aux membres ainsi que toute formalité administrative, et s'entend en outre du fait de donner ou de recevoir des communications, des renseignements ou des avis, de présenter des demandes, de passer des examens ou des tests et de prendre part à des programmes, à des audiences et à des réexamens.

Finalement, il devrait être clairement établi que l'Ordre des enseignantes et des enseignants de l'Ontario sera assujéti à la Loi de 1989 sur les services en français.

La représentation francophone au conseil de l'Ordre. Tout comme la FEO, l'AEFO est choquée par le fait que les membres qui auront à assumer les coûts de l'Ordre ne puissent disposer d'une claire majorité au sein du conseil. Ceci est encore plus clair lorsqu'on parle des francophones. En effet, la proposition du comité de mise en oeuvre prévoit qu'il y ait jusqu'à sept francophones au sein du conseil de l'Ordre, dont deux seraient des enseignantes ou des enseignants. Il y aurait lieu de renverser ce ratio. Cela pourrait se réaliser si votre comité adopte la recommandation de la FEO qui amende les articles 4(2)a) et 4(2)b).

Une claire majorité d'enseignantes et d'enseignants doit siéger au conseil de l'Ordre. Parmi les francophones siégeant au conseil de l'Ordre, les enseignantes et les enseignants francophones doivent en constituer la majorité. Ce sera la seule façon pour les francophones d'assurer leur pleine participation aux divers comités du conseil puisque ces derniers seront constitués de membres de l'Ordre.

Mon troisième point, les élections. L'AEFO reconnaît que la méthode d'élire les représentantes et les représentants des membres sera déterminée par un règlement du lieutenant-gouverneur en conseil. Cependant, elle tient à signaler qu'elle insiste pour que les francophones qui seront élus au conseil d'administration de l'Ordre le soient par les enseignantes et les enseignants qui proviennent des écoles de langue française. Même le comité de mise en oeuvre a indiqué que la structure du conseil d'administration doit garantir la représentation des besoins particuliers des diverses composantes du système d'éducation de l'Ontario. Par exemple, les élections auront une composante régionale. Nous croyons que votre comité devrait clairement exprimer le souhait que la réglementation concernant les élections puisse reconnaître le fait que le système d'éducation de langue française en Ontario est une composante particulière du système et que les membres francophones de l'Ordre devraient être élus par ceux et celles qui y oeuvrent.

L'Association des enseignantes et des enseignants franco-ontariens regrette que ce projet de loi n'aura pas eu l'avantage d'être discuté par l'ensemble des enseignant-



tes et des enseignants de cette province. Ce projet de loi, adopté en catastrophe, n'obtiendra pas l'appui des enseignantes et des enseignants, appui nécessaire au succès de la mise en oeuvre de l'Ordre.

Le projet de loi 31 ne présente pas une vision dynamique de la profession, et si à courte échéance les politiciennes et les politiciens croient avoir mis les enseignantes et les enseignants à leur place, à long terme cette loi servira mal l'intérêt public.

Maintenant pour le projet de loi 30, créant l'Office de la qualité et de la responsabilité en éducation. L'AEFO appuie toutes les recommandations et tous les amendements de la Fédération des enseignantes et des enseignants de l'Ontario en ce qui concerne le projet de loi 30. De plus, les amendements que nous avons présentés au projet de loi 31 et qui concernent les services en français sont également pertinents pour le projet de loi 30. Le préambule de la loi devrait contenir une disposition à l'effet que le français dispose d'un statut particulier comme langue d'éducation en Ontario. De même, l'Office devrait être assujéti à la Loi de 1989 sur les services en français.

Je vous remercie.

1700

**Mrs Janet Ecker (Durham West):** Thank you very much for coming today. My apologies for not being able to address you in French today.

One of the concerns, I guess, and one thing that has distressed me a little bit when I've heard your association and I've heard OTF talking about the lack of support of teachers, and one of the things I'd like you to elaborate a little bit on is, given the fact that you have 24 regulated health professions, many of which are in similar situations, employee situations, to what teachers are, accountable within hospital structures etc, they wanted to be self-regulating. They saw it as a mark of maturity to sort of separate the professional interest from the public interest. You have social workers who are clamouring at the door of government to be self-regulatory as well. The Association of Early Childhood Educators is also asking to be a self-regulated profession. I guess I'm a little curious as to why you do not see that as a good thing, if you will, for teachers and education.

**M. Régimbal :** Premièrement, au niveau de pourquoi on voit ça d'une façon négative, je crois et notre association croit que la FEO est l'endroit où le tout devrait se passer. S'il faut élargir ce que la FEO fait, s'il faut le redéfinir, c'était l'endroit. Là, on va avoir deux structures, on va avoir un mélange entre les fonctions de la FEO, entre les fonctions de l'Ordre. De plus — oui, continue.

**M. Matte :** Je pense qu'il y a un deuxième élément, et projeter au premier : n'oubliez pas que l'enseignement, c'est la seule profession qui, jusqu'à ce qu'on fasse ce que vous avez signalé, le Regulated Health Professions Act et les autres — il y a une loi qui traite de la profession de l'enseignement depuis 1943, et cette loi permettait des instruments tels que des comités de discipline, et la Fédération des enseignantes et des enseignants de l'Ontario faisait la discipline de ses membres à la demande du ministre de l'Éducation. Lorsqu'un enseignant ou une enseignante fait quelque chose qui est inopportun,

il y a des méthodes dans la loi qui sont prévues à l'heure actuelle et qui permettent à la Fédération de traiter tout comme le fera le collège. Donc, ce que l'on fait, c'est de prendre des obligations qui à l'heure actuelle sont tenues par la Fédération dans la loi de la profession de l'enseignement, et on les met dans un autre projet de loi. Pour nous, il y aura donc deux projets de loi, deux endroits où les enseignants et les enseignantes pourront être disciplinés. Nous croyons que la loi sur la profession de l'enseignement est suffisante à l'heure actuelle et s'il faut y mettre des amendements pour ajouter des gens du public sur nos comités de discipline, c'est une proposition que nous avons déjà faite dans le passé.

Le deuxième item qui nous est important, c'est que c'est le seul projet de loi où les enseignantes et les enseignants — donc, ceux qui seront régularisés par la loi — sont un minorité sur le conseil. Dans tous les autres, c'est une très claire majorité, jusqu'à 75 %, des membres du conseil qui sont de la profession. C'est un amendement dans ce sens-là, et vous aurez peut-être un plus grand engagement de la profession enseignante vis-à-vis le collège.

**Mrs Ecker:** Do we still have some time?

**The Vice-Chair:** About 30 seconds.

**Mrs Ecker:** My understanding is that the regulated health professions, the people who are in faculties, who are teachers as opposed to actually—they are also on the council and are part of the majority. So my understanding is that that's a similar concept to that with the teachers.

**M. Régimbal :** Les personnes qui sont dans la faculté de l'éducation aujourd'hui n'ont pas besoin d'avoir un BEO. Ce n'est pas un prérequis qu'ils aient un BEO pour aller à la faculté pour enseigner là. Si, pour appartenir à l'Ordre, tu dois avoir un brevet d'enseignant de l'Ontario, on pourrait les compter parmi la majorité.

**M. Matte :** Même si vous regardez dans la Loi sur les professions de la santé réglementées, vous verrez qu'il y a des ajouts, c'est à dire qu'il y a les membres et qu'on ajoute à ceux-là les gens qui proviennent des facultés de médecine, par exemple, ou de «nursing». Mais ils font partie de la majorité, et on n'a pas inclus à l'intérieur des documents de la Fédération que les membres qui viennent des facultés sont inclus dans la majorité. Cependant, nous insistons que celles et ceux qui sont dans les salles de classes, dans les écoles, doivent —

**Mrs Ecker:** They're part of the majority, though. Without them, they don't have a majority.

**Mr Frank Mclash (Kenora):** You'll have to excuse my northern French as well. Something I'd like to get comments on from you is the portion of the act in terms of ongoing education and professional development. There seems to be a lot of concern out there in teachers I speak to. I'm just looking for further comments from you in that area of the bill.

**M. Matte :** Il y a deux éléments. Nous comprenons que si la loi doit être adoptée et qu'il y a un ordre en place, cet ordre devra réglementer les cours de profession, les cours de qualifications additionnelles, les cours pour changer de catégorie, peu importe, ou les cours d'éducation. C'est en accord avec nous. D'ailleurs, les amendements que nous avons faits ne font pas que nous enlevons le droit au collège ou à l'Ordre d'accréditer les cours. Ce

que nous leur enlevons, c'est le droit d'en fournir. On ne peut pas en même temps être le fournisseur de programme et le groupe qui va réglementer ces mêmes programmes.

**M. Régimbal :** J'ajouterais sur ce point-là que les enseignantes et enseignants, si on regarde majoritairement, prennent des cours et continuent leur développement professionnel et personnel. Ce n'est pas en imposant quelque chose, en le mettant de façon obligatoire, qu'on va avoir un meilleur engagement. On va avoir un désengagement parce que, à un moment donné, l'enseignant va dire, «J'ai rempli le quota que je voulais, et en ayant rempli mon quota ils vont dire, "Viens plus m'achaler pour en faire d'autres."»

**Mr Wildman:** I noticed that when my colleague mentioned northern French, Ronald Robert jumped about it. I don't blame him.

I want to thank you for your presentation. You've made the point very clearly that if the college is to be established and is to be truly self-regulating, then the clear majority must be those who are regulated. In terms of the francophone representation on such a college, what number are you proposing, as opposed to what is currently set forward in the legislation?

**M. Régimbal :** Dans la législation à ce moment-ci, on dit qu'on peut placer jusqu'à sept personnes francophones sur l'Ordre. Nous, on vous dit d'inverser les nombres d'enseignants et de faire un «switch» entre la minorité pour les enseignants. Je pense que, indépendamment du nombre final, si les francophones représentent à peu près 20 % du nombre final, on serait bien représentés.

Un autre point qu'il faut faire avec la question de nombres qui est très important c'est le travail que les comités auront à faire. Dans les nombres qu'on a présentement, il n'y a pas assez de personnes pour peupler tous les différents comités et nous représenter adéquatement un peu partout.

**M. Matte :** La proposition de sept membres francophones vient du comité de mise en oeuvre. Il n'y a pas de référence directe dans la loi là-dessus, mais dans la façon de laquelle ce comité l'a mise, on voit deux enseignants pour cinq non-enseignants du côté francophone, et ce n'est pas un collège des enseignants, ça.

**Mr Wildman:** If I could just ask one further question, you would obviously have a very serious difficulty as francophones, with the current situation, in ensuring that each of the committees had a proper representation from the francophone teaching profession to be able to ensure that the committees served the francophone community properly.

**M. Régimbal :** Définitivement, parce que ce qui arriverait, à moins que vous embaucheriez ces deux enseignants-là pour travailler à plein temps pour l'Ordre, vous ne pourriez pas faire autrement.

**The Vice-Chair:** Thank you very much to both of you for your presentation.

1710

#### ONTARIO CHRISTIAN SCHOOL TEACHERS' ASSOCIATION

**The Vice-Chair:** I'd now like to invite the Ontario Christian School Teachers' Association, Mr Hank Hultink, the executive director; Henry Wiersema, principal;

and Rick Klooster, principal, to come forward, please. Gentlemen, if you could identify yourselves for Hansard's purposes, I just remind you that you have 30 minutes for your presentation, and that includes any time for questions and answers from the caucus members who are here today.

**Mr Hank Hultink:** My name is Hank Hultink. I'm the executive director of the Ontario Christian School Teachers' Association. This is my colleague Henry Wiersema—without the "n" that is on your sheets. Henry is principal in the Christian school in Strathroy. This is my colleague Rick Klooster, who is principal of the Christian school in Chatham.

We appreciate the fact that we have gone considerably beyond the traditional 9 to 5 workday. As a matter of fact, the hardworking bunch out here, we couldn't even find a coffee shop. We are now part of the cutbacks, I guess. The coffee shop closes—

*Interjection.*

**Mr Hultink:** Yes, I saw it in the meantime; I appreciate it—at 2:30 for the general public. So here, if you don't work, you don't drink coffee.

**Mr Wildman:** This is part of our preparation.

**Mr Hultink:** Is that what it is? Okay. Thank you.

On behalf of the Ontario Christian School Teachers' Association, we want to thank you for the opportunity to represent 800 active classroom teachers employed in the independent school sector on the matter of the establishment of the Ontario College of Teachers. We appreciate you taking time to listen to our association, which serves 12,000 Ontario Christian school children.

The report, by its very nature, is quite condensed. I don't think we're going to need our allotted time. We have one or two matters in particular that we wish to share with you and draw to your attention and make a case for, if you will.

I think it's fair to say as a generality that the members of the Ontario Christian School Teachers' Association are not, in principle, opposed to the College of Teachers as we see the present format. We are aware, through Hansard and copies of papers from other presenters and discussions, that you are aware, and it's been drawn to your attention, that there are some matters, the privacy and intrusion matters, that are of genuine concern to almost everyone, I suspect; members of all three parties, for that matter. We don't want to be repetitive about that particular concern. Our concern was that there was some type of adversarial tone here, which I'm sure wasn't intended and I'm sure can be corrected in some of the amendments and revisions that may be coming down the road.

In principle, we're speaking from the perspective that we have always taken ownership of our own education in the sense of direct parental control, so the college as the vehicle, as presently proposed, is not something we take great issue with.

We'd like to walk you through who we are, which is our logo on the top of page 2. We identify ourselves as, "Certified professional Christian educators committed to providing quality instruction promoting the values of the Christian home and church in parentally directed day



schools." I appreciate that that's a mouthful, but I think as we walk through the next several pages you'll find that we take pieces of this and identify who we are.

OCSTA, the Ontario Christian School Teachers' Association, is comprised of approximately 800 certified teachers. We value certification and accreditation highly. We serve 12,000 students in approximately 75 schools from Wallaceburg to Williamsburg and points in between. Our members are employed in an association called the Ontario Alliance of Christian Schools, OACS, and it in turn is a member of the Federation of Independent Schools of Ontario.

We do want to make one distinction in the language, and it's not a question of semantics—we don't want to quibble about the word—but repeatedly schools in the independent sector are referred to as "private schools." Traditionally, that's the word the Education Act has used. Even though these schools register with the Ministry of Education, in essence, at least until a few years ago, and now it's only the secondary level, there was not much concern about what we did or how we did it or what we taught or whatever the case may be. Other than meeting local requirements for purposes of health and safety and fire regulations, the Ministry of Education really had no input, nor did it care, about what it then called private schools.

I think it's fair to say that gradually over the years the word "private" has become somewhat narrow in its definition. We think of a specific set of schools, we think of a certain atmosphere, we think of certain class ratios, we think—without being pejorative—of an elitist type of format associated with the traditional private school, be it British or otherwise. Over the years our association and others have argued, and I think fairly so, that we are independent in the sense of away from immediate public scrutiny or away from immediate public support and hence we are independent of the traditional parochial/public school format. It's in that sense that we prefer to be known as the independent school sector rather than the private school sector. That's the case we're making on page 2: Member schools are independent public schools. They are accessible to the public, they're wide open to the public and they're not private in that sense.

Within the independent public sector there are about 4,000 teachers who serve 120,000 students. That's a number we ought to pay attention to. Of those 4,000 teachers, OCSTA in turn represents about one fifth, or 20%, of those teachers.

OCSTA, the Ontario Christian School Teachers' Association, has had its own norms or standards almost from its inception. Some of our schools in our system on the Ontario scene are in excess of 50 years old. Almost from day one there has been a real emphasis on certification, on accreditation. The standard for our members to teach in our schools—and I can't speak for all independent schools here; I can only speak for the 20% of the independent schools that are members of the Ontario Christian School Teachers' Association—is that our members need a degree from a recognized university or college, plus they need to be a graduate of a recognized teacher training program. In addition to that, they need to earn what is called a Christian school teacher's certi-

cate. So our criteria, our certification standards meet or exceed, if you will, the standards for the norm in the average Ontario classroom.

OCSTA, as a professional organization, has standards for teacher training. We run our own certification program. We run our own teacher training program. We have a standing professional development committee which organizes in-service activities, professional development days, related summer activities, whatever the case may be.

There's been discussion in the presentation on the College of Teachers on the matter of parental control, parental ownership, parental involvement—wanting parents to embrace and take ownership of the educational system of Ontario. I think you'll find that's one of cornerstones of the existence of the independent schools in the Christian school area. Our parents are integrally involved at all levels of our operations. I quote Mr Arnott, from Hansard, April 1, who said that teachers need "a practical, current and hands-on understanding of educational challenges, techniques and problems." I think that covers OCSTA. We are involved with day-to-day activities. Most of our people are regularly involved in that.

1720

I took time to read several issues of Hansard, so some of you may see your name appearing.

Our next contention, on page 4, is that an active classroom teacher employed in an independent school ought to serve on the governing council. That phrase "active classroom teacher" repeatedly is used by your colleagues throughout the presentations and throughout their discussions. The concern, and I think it was mentioned in the prior presentation, is that if it's to be for the teachers, it ought to be by the teachers. The matter of 17 and 14 in representation is a concern that the federation and its subsidiaries have also. Our argument is that most of our teachers are classroom teachers. They are fully certified Ontario educators. Most of them, if they chose to and if there were positions, could find a job in a separate or public school tomorrow. That's assuming they'd get in line and wait while all the other vacancies were filled.

The independent school sector represents a significant portion of Ontario educators, and within this independent school sector Ontario Christian School Teachers' Association members can contribute the following: OCSTA members are qualified teachers; the Honourable Mr Snobelen repeatedly uses the words "qualified teachers" in Hansard. OCSTA members are university grads certified to teach in Ontario. OCSTA members are active classroom teachers. OCSTA members currently participate significantly in the educational process. OCSTA members currently are responsible for their own full spectrum of teacher education.

Having an OCSTA member serve on the governing council is the essence of our presentation. Even though the recommendations there use that there ought to be "a private school member," we want to use the words "independent school member." "Federations have argued"—Mr Wildman was quoted to that effect in Hansard of April 1—"that three of the 17 are non-teaching" positions. The federations said that one of them was a



representative, or would be eventually, a representative of the private schools. I think the fact is clear that our 800 teachers are certified Ontario educators, do have their OTC and related degrees, and hence the particular concern that the federation has on this particular issue I don't think is warranted.

OCSTA members are not for private schools, as some of the language has indicated; rather, they are from independent schools. We don't have a personal agenda. OCSTA members will work to promote the good of education in Ontario, not just within a particular sector of that. OCSTA members on the council will ensure that "we truly have a board that's representative of the teaching profession and not just of the management people within the teaching profession." That is a quote from Mr Bisson.

In electing the representative for the independent school sector, we argue that because of the numbers—4,000 teachers and 120,000 students in Ontario—-independent school teachers, and only those, ought to elect the independent school representative. There's some concern that if all OTC holders, if all stakeholders in the potential College of Teachers voted for the representative of the independent sector, that would be rather meaningless because they don't speak for or understand or take ownership of the independent sector. Our argument on this particular page is that if there are 4,000 or 3,000 or however many who have OTCs, those are the people who ought to vote for the independent representative on the governing council, not all the teachers but the teachers who are represented by this particular individual.

The argument is that since OCSTA members have long had a sense of ownership of their profession, are fully certified, it is from their ranks we suggest that nominees for the independent school representative ought to be selected. Our opinion is that any active classroom teacher employed in a registered independent school, having earned an Ontario teaching certificate, ought to be able to vote for his or her representative.

In conclusion, OCSTA's concerns about the invasion of privacy and intrusion have been well stated by others, and we trust that this committee will seriously review those matters. The criteria for having a governing council representing as wide a selection of professional, active classrooms as possible include the election of a qualified, independent school member.

As Mr Cooke said on April 3, "If you've got private"—and I call them "independent"—"schools, you can't say to those teachers, 'We're going to regulate you but you're not going to be represented on the council.'" The election process of the independent school nominee must clearly be, and be seen to be, as representative of and meaningful to independent school teachers.

In conclusion, our sincere appreciation is extended to all committee members for your time and efforts as you continue your work to make the Ontario educational system professional, accountable and worthy of all our trust.

**Mr Miclash:** Excuse me if I've missed something here, but somehow I was looking for more of an example of how the independent school varies from the private school. If you could give me an example—obviously, we

don't have any of your independent schools in our region, and I'm not that familiar with the background—would there be a tuition to attend the independent school and things along that nature versus a private school?

**Mr Hultink:** The question of governance is frequently a noticeable difference between the private schools and the independent schools. The independent schools are started for a variety of reasons, including philosophical differences, including sometimes teaching styles; Montessori, for example, or a French-speaking school. Sometimes they're for religious grounds, whatever the case may be. None of those today typically weighs heavily with the establishment or the maintenance of a private school.

The operations are very grass-roots in the independent schools. The parents are an integral part of all the committees in the school society. It's basically a corporation, usually incorporated without share capital, in Ontario, which means that the responsibilities of the directors fall to the board members. But the parents are, in effect, the stakeholders, the shareholders in the corporation.

**Mr Miclash:** I mentioned tuition in terms of your children attending. Can you give me an example of how the attendance of those children would compare to the attendance of children at a private school, the cost?

**Mr Hultink:** I can make a general comment. In those areas with which I am familiar where there are private schools, the tuition traditionally is considerably higher. In my own case, my home is near Hamilton, and I pick, for example, Hillfield-Strathallan. I was principal of Calvin Christian School in Hamilton, just down the street from Hillfield-Strathallan, which is called a private school in that sense, and whereas our community makes it a community event to sustain the school, like a per-family tuition, for example, Hillfield-Strathallan, and there are others, choose to have a per-child type of tuition.

**Mr Wildman:** Basically you're saying that if there is to be an independent school nominee on the council, and you want there to be one, that individual should be elected from the teachers in the independent school sector.

**Mr Hultink:** Yes.

**Mr Wildman:** Where does that leave those teachers who are in the private school sector? Would you see two representatives on the council?

**Mr Hultink:** No, I don't think the numbers warrant having two representatives. We are acutely aware of the fact that there are 17 at best and that they have to be spread around, whether that's geographically or in terms of population or whatever the committee ultimately recommends. No, I don't think that's warranted. I think you would simply include that percentage of teachers who are in the private schools, as they would be called, and lump them all under the umbrella of other than public/parochial, Roman Catholic.

1730

**Mr Skarica:** Just dealing with the makeup of the council, you've indicated that you'll have one member, and that's been recommended by the implementation committee, page 13 of their report. Dealing with that section, and it's subsection 4(2), the makeup being 17 who are members of college, and you'll have one of

those, the member who's elected by your organization, would that person be a fully qualified teacher or not?

**Mr Hultink:** It would be a fully qualified teacher. It would be an active classroom teacher. It would not be someone in a managerial position or administrative position or related. No. And it would be someone with an Ontario teaching certificate.

**Mrs Julia Munro (Durham-York):** I was just going to come back to the question that you've raised about the fact that the constituent group should be the person who elects this, and obviously the federations have talked to us about the need for a representation and the question of the numbers of practising teachers. My question then to you is, how dangerous do you see this for your particular constituent group if it were allowed that everyone who has an Ontario teaching certificate has the opportunity to vote for the individual who would represent the independent sector?

**Mr Hultink:** I'm not sure it's dangerous. It's just overwhelming in terms of numbers. The only way to answer that is to cast aspersions on the intentions of the federation, and I have three brothers-in-law in the federation and I'm going to meet one of them afterwards for—but anyway.

I think would be less meaningful if the committee allowed all OTC holders to vote on the independent school representative. The implementation committee has specifically recommended, though they use the word "private," someone from that area for a reason. I think the reason is, there's a group of you out there who aren't OTF members, and we want to ensure that if this is going to be a by-the-teachers, for-the-teachers format, you as the independent block have some voice. Technically, we could be outvoted every time, 16 to 1, hypothetically. Okay, that's not the point. The point is, in principle, the committee would show that, "Hey, we're considering the factions that are out there and we want you to have a voice at what's out there."

If we're not represented, if we're not even closely represented in the group from which we come, then it's kind of an exercise in, "Well, it's just a number." So we would argue that it would be meaningful if the committee picked someone from among the 4,000, and that's a substantial enough number. You ought to be able to find someone from among that number, and the OTF ought to have no problem with that.

**Mrs Ecker:** One of the first groups who was in my door when I was elected were representatives of some of the independent schools in my riding. So I've certainly received the message of the difference between independent and private, and the financial sacrifices that many of those parents have made to choose those schools have certainly impressed me.

I go back to the question I raised earlier. Why is it that your teachers' group supports in concept a College of Teachers, yet some of the other teacher groups are not supporting something which, coming from the health background, I've sort of seen as a positive thing, a step ahead for the professionalism of the teachers?

**Mr Hultink:** I can't quite explain why the others don't. I think the best answer is to try to explain why we

do. It's not foreign to our milieu to be accountable as much as we are. Since you've spoken to independent school supporters, you know that it's very much a partnership type of arrangement. The parents constantly know what the teachers are doing, and I think the success and growth of the independent schools over the years is partially due to the fact that we represent and reflect very closely the values and standards of those homes. So when a qualified parent becomes part of an education committee and makes comments about classroom activities, he or she cares.

So we're not frightened by this accountability, for want of a better word, because it's been part of our going all the time. There is really nothing scary, if you will, in the College of Teachers proposal, other than my comment about the whole matter of invasion of privacy and related, and I'm sure you'll attend to that in due course. But other than that, this is how a lot of us operate already in terms of the credibility of our relationship with our parents. They are, in effect, to a degree, a College of Teachers already.

**The Vice-Chair:** Thank you very much for your presentation, Mr Hultink, Mr Klooster and Mr Wiersema.

#### ONTARIO SEPARATE SCHOOL TRUSTEES' ASSOCIATION

**The Vice-Chair:** Next we have the Ontario Separate School Trustees' Association, Patrick Meany, president, and Patrick Slack, executive director. I notice you've got a few other people with you, if you could identify yourselves for Hansard. I'd just like to remind you that you have half an hour for your presentation, and that includes any questions and answers there may be from any of the committee members. The floor is yours.

**Mr Patrick Meany:** I'm Patrick Meany, president of the Ontario Separate School Trustees' Association. Beside me, on my right, is Patrick Slack, executive director of our association. With us are Monsignor Dennis Murphy, on Patrick's right, director of Catholic education in our association, and Carol Devine is also with us, who is Catholic education consultant.

The Ontario Separate School Trustees' Association, OSSTA, represents 53 Roman Catholic separate school boards of all sizes and from all regions of Ontario. These boards provide Catholic education programs and services to 600,000 students.

Teachers are the single most important element in the provision of education for students. The 53 Catholic school boards in Ontario continuously strive to ensure that the teachers they employ are well able to carry out the mandate of Catholic schools—that is, to provide students with an excellent, well-rounded education, delivered within the context of Catholic teachings and traditions and based on the values of the gospel of Jesus Christ.

Anything that improves and recognizes the professional status of teachers is good for education. OSSTA supports the concept of an Ontario College of Teachers. We view it as an appropriate mechanism for overseeing the certification and professional standards of teachers. We welcome the opportunity to comment on the draft legislation which would establish such a college.



Our comments make reference to several of the major issues dealt with in Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes, including governance, the objects of the college, accountability, investigations and discipline, as well as several issues which are not detailed in the legislation but will be included in regulations yet to be written.

On governance: It is critical that the council governing the Ontario College of Teachers includes representatives from all of the province's publicly funded school systems and from all other constituent groups. OSSTA is concerned that Bill 31 does not specify within the legislation itself how representation on the council will be allotted. Instead, the bill merely makes provision for the writing of regulations regarding membership on the council, for example, subsections 37(2), (3) and (4), clause 39(1)b and clause 39(1)c.

Regulations, rather than legislation, to establish the rules to govern membership do not guarantee that all publicly funded school systems and all other constituent groups will have adequate, ongoing representation on the college's governing body. Regulations are written to reflect the legislation. If that legislation is not clear and sufficiently detailed, adequate regulations may not follow. Therefore, guarantees of proper representation for all constituent groups must form part of the legislation governing the college.

OSSTA recommends that Bill 31 be amended to include details regarding specific representatives on the governing council and to provide for representation from all constituent groups.

1740

The perspective and needs of Catholic schools must be consistently reflected and embodied in the persons with governing authority. Ontario's Catholic school boards must therefore be adequately represented among the 17 persons elected by the members of the college and among the 14 persons appointed to the council by the Lieutenant Governor in Council.

OSSTA recommends that the process for election of the 17 persons representing the membership of the college provide for adequate representation from teachers employed in Ontario's Catholic schools.

OSSTA believes that it is essential that trustees be represented on the college's governing council. As the elected representatives of the public, accountable for the provision of high-quality public education and the wise spending of local tax dollars, and as the employers of the vast majority of teachers in Ontario, trustees have a critical interest in the work and decisions of the College of Teachers. Since school boards are the primary consumers for the college's product, they must have representation on the college's governing body.

OSSTA therefore recommends that the governing council of the College of Teachers include one trustee representative from each of the province's four publicly funded school systems among the 14 persons appointed by the Lieutenant Governor in Council.

**Mr Patrick Slack:** Under the section of "Objects of the College," we would like to put forth the following. Each and every object of the college, as described in

section 3 of part II of Bill 31, must take into account the perspective and needs of Catholic schools.

OSSTA recommends that section 3 be amended to add a provision that in carrying out its objects, the college must know and respect the needs of Ontario's Catholic school system.

Ontario separate schools require teachers who have achieved, during the course of their educational training, the distinctive outcomes required for Catholic teachers. Catholic schools need teachers who are professionally prepared to teach in a Roman Catholic context and tradition, who are skilful in delivering the religious education and family life education programs taught in our schools, and who can create and deliver curriculum within the context of our faith. To meet the needs of Catholic schools, it is necessary that all faculties of education offer the necessary preparatory courses.

OSSTA recommends that the bill be amended to require that all faculties of education offer the pre-service religious education course and the foundations of Catholic education course, and that these courses be recognized for credit purposes.

OSSTA believes that high-quality professional development programs must be available across the province, and that Catholic boards are the appropriate providers of such programs.

OSSTA recommends that the legislation be amended to ensure that separate school boards are among those accredited by the college to provide professional development programs for Catholic educators, and that support and financial assistance be provided for this purpose.

Paragraph 3(1)9 deals with the provision of educational programs leading to certificates of qualification additional to teachers' certification, including those for supervisory officers. Such programs belong within the mandate of the college. At the same time, OSSTA must express our strong support for the supervisory officers' qualification program presently being offered by the Catholic community delivery organization.

Recognition should also be given to courses designed and run by Catholic educators for candidates preparing to be principals in Catholic schools. Existing principals' courses cannot and do not prepare principal candidates to meet many of the expectations placed upon them by Catholic schools.

OSSTA recommends that paragraph 3(1)9 be amended to add "certificates of qualification as a principal," and further that courses designed specifically for candidates for Catholic schools be accredited.

Paragraphs 3(1)7 and 8 deal with the establishment of professional and ethical standards for members of the college, with investigation of complaints against members, and with the discipline of members. OSSTA supports these as legitimate functions of the college. Catholic boards will continue, however, to develop and to enforce standards for their teachers in regard to denominational issues.

OSSTA recommends that subsection 3(1) be amended to ensure that any regulation or activity of the college will not infringe upon the denominational rights of Catholic school boards.



Under the section of accountability, we would like to say that we strongly support those aspects of Bill 31 which address the need for the College of Teachers to be publicly accountable. Such accountability is reflected in a number of the sections of the bill.

Subsection 8(2): Council meetings will "be open to the public."

Subsections 10(1) and (2) state that council will "meet annually with the minister," in a meeting open to the public.

Under subsection 11(1), council will submit an annual report "to the minister on the activities and financial affairs of the college."

Subsection 11(2) says council's annual report will be submitted by the minister "to the Lieutenant Governor in Council" and will be tabled in the assembly.

Subsection 22(3): A public register of members of the college will be available to the public.

Under the section of investigation, the legislation details a process by which a member of the public, a member of the college, the registrar, or the minister can lodge a complaint regarding the conduct or actions of a member of the college.

It is important that parents, students and other members of the public be made aware of their right to initiate such a complaint, of what constitutes reasonable grounds for doing so and of the process for registering such a complaint.

OSSTA recommends that the legislation governing the College of Teachers mandate a process by which parents, student and other members of the public are to be made aware of the availability of a complaints process.

Discipline: Subsection 28(3) describes the term "professional incompetence." OSSTA notes that there are two fundamentally different categories, misconduct and incapacity, governed by the same discipline process. It is our view that these two categories cannot be governed by the same process. Rehabilitation, rather than punishment, must be the focus for incapacity issues.

OSSTA recommends that the misconduct and incapacity categories be separated and that appropriate responses and resolutions to incapacity problems be developed and included in the legislation.

As noted earlier, Catholic boards will continue to define and to enforce expectations in regard to denominational issues.

**Mr Meany:** The investigative powers of the registrar, as outlined in section 33, would appear to overlap the normal process by which employers supervise, evaluate and discipline employees. This draft legislation creates a situation where teachers may well be subject to a duplication of investigations, one by the school board and one by the College of Teachers, both empowered to carry out such investigations. The respective rights and responsibilities of boards and of the college in areas regarding teachers' performance, competence and misconduct must be made very clear for teachers, administrators, trustees and the general public.

OSSTA recommends that section 33 be amended to include a clear definition of the rights and responsibilities of school boards and of the College of Teachers in areas of teacher performance, competence and misconduct.

Under regulations and bylaws, many aspects of the structure and function of the college which are of particular interest to OSSTA are not included in Bill 31 itself but will be provided for in regulations yet to be written. It is vital that the needs and perspectives of all constituent groups, including those of the Catholic community, be considered in the writing of these regulations.

OSSTA recommends that an additional and overriding subsection be added to section 37 which acknowledges the need for all regulations to recognize the requirements of the Catholic school system.

As has been previously stated, OSSTA strongly recommends that guarantees of proper representation for all constituent groups form part of the legislation governing the college. Therefore, OSSTA recommends that subsections 37(1), (2) and (3) be deleted from the regulations, that the reference in paragraph 37(1)4 to qualifications be deleted and that these issues be fully dealt with within the legislation itself.

OSSTA does not support paragraph 37(1)24. We believe that the concept of recertification is not viable professionally, economically or administratively. Emphasis should instead be placed on the provision of a system of continuous professional development and updating for Ontario's educators. Therefore, OSSTA recommends that paragraph 37(1)24 be deleted from Bill 31.

1750

OSSTA does not support paragraphs 37(1)28 and 29, requiring school boards as employers of the members of the college to deduct and remit membership fees to the college and to suffer penalties if payments are not made on a schedule to be determined by the college. This would place an additional administrative burden upon school boards. The responsibility for payment of professional fees should rest with the member of the college, unless individual employers choose to facilitate such payments. Therefore, OSSTA recommends that paragraphs 37(1)28 and 29 be deleted from Bill 31.

Finally, in conclusion, as our brief has indicated, OSSTA is supportive of many of the aspects of Bill 31. However, we must express our deep disappointment that this draft legislation in no way acknowledges the existence of more than one publicly funded education system in this province. Ontario's separate schools are a large and important part of public education in this province. Bill 31 does not recognize the unique needs of a Catholic system. The recommendations contained in this submission address these omissions. It is our expectation that the omissions will be fully addressed in the revisions to the bill.

Chairman, that concludes our submission. We will try to answer any questions, any one of the four of us, but before we open up for questions, we would like to read 13 points we made on Bill 30, which establishes the Education Quality and Accountability Office.

(1) Catholic boards have always been concerned about the quality and effectiveness of education.

(2) The Catholic education community supports evaluating the quality and effectiveness of education.

(3) Good testing is that which helps children to learn.

(4) Evaluation is a notoriously difficult undertaking.

(5) Good testing must recognize the many variables in the educational experience.

(6) In Ontario an obvious variable is the radically different philosophies of education between the public and Catholic school systems.

(7) This variable must be recognized within the assessment process in Ontario.

(8) Catholic school board representation on the board of directors of the office is essential. All boards educate approximately one third of the students in Ontario. A proportional number is essential.

(9) There must also be Catholic board representation in the Education Quality and Accountability Office.

(10) Tests to be developed must be done in conjunction and in cooperation with the school boards.

(11) Requiring boards to administer tests, mark the tests and report on the results will be costly in time and resources. There is no clarity on who will carry those costs. Boards are concerned about additional and uncontrolled costs.

(12) The importance and value of accurate reporting must be emphasized. This should be carefully considered.

(13) Paragraph 29(1)3.2: Catholic boards would expect to administer, to mark and to publish the results of the tests. We have concerns about the costs, as stated earlier, and about how the test information will be used. The dangers of misuse are real and must be avoided. Test result publication must not result in damage to the educational opportunities for students.

They are our comments on the draft before you.

**Mr Wildman:** Thank you very much, gentlemen. Obviously you're concerned about the role of the Catholic school system and its being recognized in this legislation, and I appreciate that.

I'm particularly interested in one area you've raised, that is, the possibility of duplication with regard to investigation and discipline between boards carrying out their responsibilities to protect children and to manage the school system and the college that might be responding to a complaint.

Are you familiar with the British Columbia college, that model?

**Mr Meany:** I am not, but perhaps one of my colleagues would be.

**Mr Wildman:** It's my understanding that in questions of misconduct the boards there carry out their responsibility as managers of the system, as employers, and it's only after the boards carrying out their responsibility that the college might become involved in a question of lifting a certificate, if the college deems the situation to have been serious enough to require an investigation and determination of whether the individual certificate should be removed. Would that be an appropriate approach, in your view, to the question of discipline as opposed to the other responsibilities suggested for the college?

**Mr Slack:** The first problem with what we've read is the lack of clarity between the roles of the college and the school board in terms of the discipline of or the control of the activities of a professional teacher. That system appears to give order to that difficult problem. To have both doing it is absolutely wasteful and wrong and probably going to come at different ends possibly.

We would want it clearer and more orderly in the sense that the board has a responsibility to do that for its employees, for all of them and for the students in the system, but to report it and to make it known to a college or to ask them or even recommend to them that the certificate is now in question would be appropriate too.

**Mr Wildman:** In terms of the responsibilities of the Ontario Teachers' Federation with regard to discipline, how do you see the role of the boards now in relation to the responsibility of OTF to carry out discipline? Is there unnecessary duplication, in your view, in that current situation?

**Mr Slack:** I don't think there's necessarily duplication there. There may be some, but it's clear at this point that the school boards accept and perform the responsibility of evaluating and determining the suitability of a teacher to remain in the classroom, and it's in the students' interest that is done.

Other issues of conduct outside of that may be an issue OTF would deal with within its own membership, or difficulties between members or that sort of thing. That would not necessarily affect the classroom in the direct sense. We think it's clear now.

**Mr Meany:** If I might add to that, in the quarter century or so that I have been a trustee, I haven't run into a case of a problem with that.

**Mrs Ecker:** I asked this of the last group and I'll ask you as well. Why is it that your organization can support the concept of a College of Teachers as something that might be a positive thing for the professionalism of teachers and the education system? What is it that you see as positive that other groups are having difficulty with?

**Mr Meany:** I think the monsignor would be the best one to answer that.

**Monsignor Dennis Murphy:** Let me give you an example by way of responding to that question. Some months ago I had occasion to meet with a large unit of the secondary teachers' association, and they were strongly critical of the report of the commission on learning because of its recommendation and suggested that the teachers' profession, through OTF, could adequately respond to any of the concerns that were raised.

I suggested that if they looked at the page they had handed out to every one of the members who walked into the room, where they listed issues they had about the commission on learning, they'd find there wasn't any question of professional development in all these questions. They were all teacher welfare questions.

By way of response to your question, the concern is that the natural tendency of teacher associations at present, as represented in their budget allocations—where they have their human and economic resource is clearly in the area of teacher welfare and much less so in the area of the professional development of their own membership. It's the practical experience that I think has led this association to support this particular piece of legislation.

**Mr Meany:** Anything that advances the professional status of teachers we are in favour of, because teachers are the heart of teaching.

**Mrs Ecker:** Another question on your point about separating misconduct and incapacity categories. I take



your point, because frequently incapacity can be something where a more supportive approach might be helpful. Did you have any further thoughts on how that might be done within the College of Teachers legislation?

**Mr Meany:** We got as far as saying they must be separate. I don't think we went very deeply into it.

**Mr Slack:** We actually didn't have time, but there is a need to explore that carefully and to be sure there is no injury to someone incapacitated—some help. That doesn't exclude even those who are guilty of misconduct. There may be ways to recover their professionalism as well.

**Mr Meany:** In separating them, we didn't mean to say only rehabilitation for one, only punishment for the other.

**Mr Miclash:** I want to go back to a comment made in the second paragraph: "Teachers are the single most important element in the provision of education for students." As a former educator, I couldn't agree more.

Where do you see the actual college in terms of involvement in the ongoing education of teachers—professional development—as part of the lives of teachers? How do you see the college addressing that?

**Mr Meany:** We think they should certify, approve of, courses, but I don't think they should administer the rest of it. I think that's for the boards to do. Would you like to add to that, Patrick? As a trustee, I don't know anything.

**Mr Slack:** I think you've covered the point we would make, that the college would be responsible for ensuring and certifying the courses, having them there, but the actual requirement that they take them and their delivery should be more related to the local school board. This province is rather large and there are differences. To ask the same teacher to come to Toronto five times in five years from Atikokan is a different case than having them walk down the street from their home in Toronto. There's a totally different reality there that isn't addressed at all in what we think is being suggested in this act. We are fearful of the imposition of rules from one place that don't affect or suit the reality of the province at all.

**Mr Meany:** There would be a huge bureaucracy, we fear, also.

**The Vice-Chair:** Thank you very much, gentlemen, for your presentation. That's our last presentation today.

I remind members of the committee and ask you all to be here right at 3:30 tomorrow. The British Columbia College of Teachers is going to be tuned in to us by way of a teleconference call. I understand they only have a very short statement to make and then they're open for questions, so if you could all be here at 3:30, it would be greatly appreciated.

With that, the meeting's adjourned.

*The committee adjourned at 1804.*





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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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*\*In attendance / présents*

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 Froese, Tom (St Catharines-Brock PC) for Mr Preston  
 Ross, Lillian (Hamilton West PC) for Mrs Johns  
 Skarica, Toni (Wentworth North PC) for Mr Jordan

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 16 April 1996

# Journal des débats (Hansard)

Mardi 16 avril 1996



**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Education Quality and  
Accountability Office Act, 1995

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Ontario College of Teachers Act, 1995

Loi de 1995 sur l'Ordre  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Tuesday 16 April 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mardi 16 avril 1996

*The committee met at 1530 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

BRITISH COLUMBIA  
COLLEGE OF TEACHERS

**The Vice-Chair (Mr John Gerretsen):** I'd like to call the meeting to order. We have some representatives from the British Columbia College of Teachers on a teleconference line right now. I'd like to welcome them to our meeting. My name is John Gerretsen. I'm the Vice-Chair of the standing committee on social development. We have with us in British Columbia, Bob Steventon, who's the chair; Doug Smart, the registrar, on leave; Marie Kerchum, the acting registrar; and Bill Bradley, council member for zone 13 of the British Columbia College of Teachers.

**Mr Bob Steventon:** Mr Bradley was also the chair of the council for the first four years of its operation.

**The Vice-Chair:** Thank you very much. Welcome to our meeting. We have about a half-hour set aside for your presentation and for questions from the different members of our committee. I would appreciate it, if there is a presentation you could make, if you could start that right now and if you could identify yourselves so that we will have the appropriate record in Hansard, please.

**Mr Steventon:** I'm Bob Steventon. I'm the chair of the council. We do not actually have a presentation as such. We're happy to respond to questions and in fact are

responding to your invitation to provide whatever information we can that will be of use to you in your deliberations. I am assuming that members of your committee are aware of the work that the BC College of Teachers does and that you do not need a brief introduction to the work we do. Am I correct in that assumption?

**The Vice-Chair:** I see some heads nodding no and some heads aren't nodding at all. Could you give us a brief outline of how the British Columbia College of Teachers works and perhaps how long it's been in existence. Just give us a bit of background and then we'll have lots of questions for you. We appreciate your involvement, all of you.

**Mr Steventon:** The College of Teachers has been in operation since January 1, 1988. It was created in 1987 through the passage of what was then Bill 20, I believe, the Teaching Profession Act. I may be out of sequence; it may be Bill 19. It's sort of irrelevant at this point. That act was actually quite a surprise to the teaching profession. British Columbia did not go through the process you've been through of an investigation of the issue prior to the creation of the act.

The college council governs the affairs of the college. The council consists of 15 members elected in 15 geographic zones, from different parts of the province. The college council also includes five members who are appointed, one of whom is appointed by the deans of education of the faculties of education. Two members are appointed by the Minister of Education and two members are appointed by the Lieutenant Governor in Council. So there are five appointed members, 15 elected members.

Our functions are essentially to approve for certification purposes teacher education programs, to establish the requirements for certification, to issue teaching certificates and to be responsible for a disciplinary process that may lead to reprimand, suspension or cancellation of certificates and termination of membership.

Membership in the college is required of all British Columbia public school teachers, administrators and superintendents. Our membership is actually considerably larger than that. Many of the individuals who teach in independent schools in this province are also members of the college, but are not required to be.

Perhaps someone else at this table would like to add a point or two I have missed.

**Mr Doug Smart:** My name's Doug Smart. I'm the registrar, on educational leave. Just one terminology we might clarify: A superintendent of schools in British Columbia is equivalent to your director of a school division. So everybody up to and including your directors would be required to be members of the college.

**The Vice-Chair:** Are there any other comments you would like to make at this time?

**Mr Bill Broadley:** If I could add one specific detail, this is quoting from our act. This is the object of the BC College of Teachers. It states specifically, "It is the object of the college to establish, having regard to the public interest, standards for the education, professional responsibility and competence of its members, persons who hold certificates of qualification and applicants for membership, and, consistent with that object, to encourage the professional interest of its members in those matters."

**The Vice-Chair:** We have some questions now. I'll start with members from the government side and we have about eight minutes for each caucus.

**Mr Trevor Pettit (Hamilton Mountain):** Thank you very much for your presentation. The legislation we have before us today calls for the establishment of a 31-member governing council with 17 members elected by the profession. There are some people, including the teachers' unions, who feel all of these elected members should be actual classroom teachers. Relative to your situation, I'm wondering, are department heads or teacher-librarians, board consultants, vice-principals, superintendents considered to be members of the teaching profession in BC and would they be eligible to run for election to your governing council?

**Mr Steventon:** Any member of the college, a person who has membership fees in good standing, who holds a certificate of qualification, is able to seek office as a member of the council. Of the 15 elected members currently, several are retired teachers, one is an administrative officer now and one is a retired administrative officer. The majority of the college council members are active classroom teachers, but there is no restriction other than that there are some specific geographical restrictions. One has to either reside in or work for a school board in a particular geographic zone, but there is no restriction based on whether a person is working as a teacher or an administrative officer or whether the person is teaching at all, as long as they have membership and are resident in that zone.

**Mr Pettit:** What role do you think parents and the public should have in setting standards for the teaching profession?

**Mr Steventon:** I'll let Mr Smart address that.

**Mr Smart:** We think particularly important the role of the two appointed members who are appointed by the Lieutenant Governor in Council. They really play a significant public role in that. The people who have served in that role bring that public perspective. Some of them have been school trustees previously. Others have been involved in community organizations. They bring that wider public perspective to the discussion.

**Mrs Julia Munro (Durham-York):** I just had one quick question: What is the fee that teachers in British Columbia would pay to maintain the College of Teachers? Perhaps you could tell us a bit about the way in which it's organized financially.

**Mr Broadley:** In the first year it was a \$50 membership fee. We found that provided us with a considerable surplus. We reduced the fee to \$40 and \$35. It's now back to \$40.

**Mr Smart:** In addition to that, though, we should make clear that there are some fees for initial registration. There are evaluation fees and certificate fees for initial evaluation of applicants. The evaluation fees depend on where people have completed their education, so people who have a relatively straightforward application, who have completed their program in a British Columbia university and completed their teacher education in British Columbia, pay a lower fee than people who have much more extensive documentation and require much more scrutiny, who come from outside the country, for example. In addition to the annual fee, there are some initial fees.

1540

**Mrs Janet Ecker (Durham West):** Thank you very much for providing us with your input. Any words of advice or comments on informing or dealing with the profession about this change which some teachers have welcomed and other teachers have not? Secondly, any advice to give us on the powers of investigation, the keeping of information which a college has to do? That's something which has created some concerns in some groups when they look at the investigation powers colleges and registrars would have.

**Mr Smart:** In terms of your first question, informing the profession, be patient, recognize that it's going to be a long road, that there will remain people who have concerns. It does require some constant information to people about what role the college plays and what it doesn't play.

In terms of the investigation function, I think there are some differences between the proposed Ontario legislation and what we have here. We may be misinterpreting this, but we understand from reading your legislation, for example, that a school board could report a case to the Ontario college without having taken any action itself. Under our legislation, before a school board could report a matter to the college it would have had to have conducted some investigation and taken some action itself, unless of course the person resigned. Then they may decide it's in the public interest to report that resignation to the college.

Investigations are becoming increasingly complex. Our freedom of information and protection of privacy legislation is much newer than Ontario's and so we are just beginning to get some experience with balancing issues in public access to information versus the protection of privacy. We're not in a position yet to say how those are going to really play out, but there is a lot of sensitivity to those issues.

**Mrs Ecker:** There's been some concern that the school board process, when it's perhaps taking action against a teacher it has some reason to have some concerns with, and the college taking action against a teacher, that somehow those two separate things would interfere with each other or that it's duplication or putting the teacher at double jeopardy, or something like that. Have you had enough experience on this? How is that kind of dual role working out?

**Mr Steventon:** I'll do two things. I'll first describe the process that we follow, that is spelled out in our legislation and in our bylaws. Then I'll deal briefly with the



issue of double jeopardy. The process we follow is this: There is a requirement in the School Act that school boards report to us all cases in which teachers are reprimanded at the board level, suspended or whose contracts are terminated. That must be reported to us. Boards must report resignations if the boards determine it is in the public interest to do so.

In order to prevent the kind of duplication you have referred to, in the case of a matter that comes under a grievance and may go right through the grievance arbitration process, our act actually requires that we not act on that matter until the grievance arbitration process is concluded. For example, in an instance where a teacher has been suspended for misconduct, we will not act on that. Although we will have received a report and may have opened an investigation, we will essentially not act on that matter until the grievance arbitration process has concluded, and the conclusion reached in that process may very well influence the decision we make with respect to the conduct of that particular case.

I will also briefly talk about the notion of double jeopardy. I think it's fair to say that teachers, as with other professionals, are in jeopardy, if you wish to use that phrase, in several different arenas. That includes, of course, matters which may result in either suits under civil law or criminal charges being laid, matters which relate to your right to hold an employment position within a particular school district with a particular school board and also questions that relate to your right to hold a certificate. In that sense, teachers are subject to scrutiny from several perspectives, but we work quite diligently to make sure the processes we follow are fair and the questions we scrutinize people for relate to their right to continue to practise teaching in this province.

**Mr Dan Newman (Scarborough Centre):** I just have a quick question. What was the reaction of teachers with the implementation of the College of Teachers in 1988 and what was it, say, two or three years later?

**Mr Broadley:** Teachers held rallies opposing the legislation. I personally spoke with some I know in Victoria, where I live. But then once the legislation was passed, the teachers' federation took the position that it should attempt to get federation activists elected, and generally that's the route that's been followed.

The official policy of the teachers' federation is still in opposition to the existence of the college, but there's much less discussion of that now at annual meetings. I think generally it's been accepted, but not publicly.

**The Vice-Chair:** We'll now turn to the official opposition.

**Mr Frank Miclash (Kenora):** The establishment of the college, you've just indicated, was probably not at the request of the teachers. Through your remarks you indicated that. Was there a public request for it, a public demand for the establishment back in 1988?

**Mr Broadley:** Teachers had requested the establishment of a Teaching Profession Act some 20 years ago. At that time I was president of the teachers' federation, and in fact chaired the committee that sought that, and governments of various stripes refused to give teachers that authority. Part of the reason for denying it may have been because our proposal at that time was that it be within the teachers' organization.

In the mid-1980s, when teachers in BC didn't have bargaining rights, they were doing a charter challenge against the government because they didn't have the right to bargain all conditions of employment. I know the government believed it was going to lose the case and had to do something, and the something it did was to give teachers bargaining rights and at the same time—there were two pieces of legislation—implement the Teaching Profession Act, which gave the profession basically the autonomy it had sought earlier but in a separate organization.

I believe it was sold to a government that generally was not friendly towards the teachers' federation on the basis that two organizations would diminish the strength of the BC Teachers' Federation, and the result was the establishment of the British Columbia College of Teachers. But it's an interesting political boot that occurred to give teachers these rights, which I believe have been exercised quite well. The evidence of that is that there has been no significant change to the legislation brought by any government in the eight years it has existed. There have been changes, but they've been generally changes that the college has requested to facilitate its operations.

**Mr Miclash:** You've been around since your establishment in 1988, and I guess what I'm looking for are some examples as to how the colleges actually service the teachers in terms of the enhancement to their professionalism. Any other examples that you can give since 1988?

**Mr Smart:** I think one of the significant things is that there is clearly now a public perception, both within teaching and broader, that the College of Teachers is taking action against people who should not be teaching. We have a significant record of dealing with cases, of removing certificates. As a number of people have noted, we do that with the utmost due process and fairness. There has been relatively little—with one notable exception early on—public criticism of our handling of discipline cases. So I think there is a sense that we're dealing with that.

The college has deliberately stayed out of the areas of ongoing teacher professional development. The advice here, and it was confirmed by a royal commission that operated at about the same time the college was being established, was that there were enough players in teacher professional development activity, including universities, school boards, the teachers' federation, and that it wasn't necessary for the college to get involved in that area. So the college has focused very significantly in the area of preservice teacher education, and we have conducted a review of teacher education in this province.

We are now in the process of dealing with proposals to establish additional universities or university colleges that will have teacher education programs. We're conducting reviews in this area in a way that reviews of proposals for teacher education programs were never conducted in the past.

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**Mr Stevenon:** In addition to that, with respect to teacher education, one of the things we do is conduct an annual forum which brings together representatives of teachers' organizations, other organizations in education,

and people from the faculties of education. It's our belief that we have essentially been able to provide a forum where people who would not usually have an opportunity to talk to one another get an opportunity to do that and become perhaps a little more aware of the factors that impinge on all of their collective efforts in education, and especially in teacher education. Our role has been one of facilitating, essentially, communication, working with faculties of education to improve teacher education programs, as well as the role of approving the nature of those programs.

Just one other example: We have twice now conducted a fairly extensive survey of graduates of the British Columbia teacher education programs so that we could determine both strengths and weaknesses of those programs and identify trends in the nature of those programs. Frankly, the results of the second survey, while I can't summarize them in a few seconds here, point to very positive trends in terms of generally an increase in the quality of those programs and an increase in the number of graduates of those programs who see the programs as having addressed their needs well.

**Mr Richard Patten (Ottawa Centre):** One of my colleagues from another party alluded to the fact that the numbers proposed in this legislation had to do with the fear of undue influence of the teaching federations, and in fact as part of the background that was discussed there was a referral to your experience where that may have been the case. I gathered you do not feel that way today and that this has been worked out. Is that correct?

**Mr Broadley:** I would think so. People at the teachers' federation sometimes have expressed frustration in terms of—we're not on strings. Even though the teachers' federation helped many of us get elected, each member acts pretty independently. There is overall policy that generally is accepted by teachers in the province, but the public interest is always in the forefront as well. I just don't see that it has been a problem. If the teachers' federation were to try to tell council members what to do, then we'd have a problem.

**The Vice-Chair:** I'll now turn to the members of the third party.

**Mr Bud Wildman (Algoma):** I have a couple of short questions. First, can you tell us—and you may have already done that; I may have missed it—what the makeup is of your board of governors? How many teachers, how many members of the public?

**Mr Smart:** Sure, 20 members; 15 elected from members of the profession—in other words, members of the college—each from a separate geographic zone. One zone, for example, would be Surrey, if you know British Columbia at all. Another zone would be mine, which is the north-central interior, the heart of the province. There are 15 members elected from those geographic zones.

Five members appointed: One appointed by the deans of the faculties of education; two appointed by the Lieutenant Governor in Council—those two people are essentially lay people—and two people appointed by the Minister of Education, Skills and Training. In the case of those two people today, one is a person who's active with the independent schools movement in this province, and the second is a person who is a fairly senior official in the Ministry of Education, Skills and Training.

**Mr Wildman:** Clearly the teachers have the majority.

**Mr Smart:** Absolutely.

Could I add one more comment?

**Mr Wildman:** Yes.

**Mr Smart:** If you were to attend our meetings, especially those times when we have a fairly sharp difference of opinion on issues, you would generally find that some of the teacher members of the council and some of the appointed members of the council would be voting on one side, and likewise some of each category would be voting on the other side. I cannot recall an issue where there's been a clear division of opinion between elected members of the council and appointed members of the council.

**Mr Wildman:** Thank you. The other question has to do with questions of misconduct, or alleged misconduct, by a teacher and discipline. Is my understanding correct that in British Columbia the local board, as the employer, would investigate and take whatever disciplinary action was deemed appropriate, and then of course the teacher and his or her federation would have the right to grieve and so on, and that whole process would be dealt with first, before it would come before the college, if it did come before the college, on a question of whether or not the teaching certificate should be lifted?

**Mr Smart:** I just want to clarify. You're essentially correct, except that when the board makes its initial decision to take disciplinary action, it must report it to the college. If there is a grievance process that's then initiated, the college would not begin its investigation or not continue with its investigation until the grievance was resolved. But when the board makes its initial decision, it is required to report that to us. So we would be aware, and one of the things we try to do is keep on top of those processes to find out where the grievance is and when it will be resolved.

**Mr Wildman:** I understand. So the college would not be taking a position with regard to whether or not discipline was warranted or what type of discipline should be done, other than the board having you informed about what was happening. After the whole process was complete, the college might then proceed if it felt it was required to take action with regard to the removal of a teaching certificate.

**Mr Smart:** I have to clarify two other points. That is only the case if the matter initiates with the school board. If we received a report, for example, of a criminal conviction, the college might be involved in some cases simultaneously with the school board initially. It is not always the case that we follow the school board's dealing with a case. Particularly if somebody is not currently teaching, the college obviously would proceed with the case independent of action by a school board.

**Mr Wildman:** I'll just conclude then by asking one other question. Is it possible in your system for a parent or a student or a trustee or perhaps another member of a teaching profession to initiate a complaint with the college alleging misconduct of a member of the teaching profession, rather than having those people go through the local board first?

**Mr Smart:** There are two answers. Generally speaking, we would refer those people to the local school



board. There is, however, provision in our legislation where the registrar can bring forward a case that comes to his or her attention, and we do have certain guidelines set out in our bylaws. It is possible that the registrar could bring forward a case to the council and seek directions on whether it should be referred to the disciplinary process, but by and large, certainly in the case of a trustee, we would expect a trustee to operate within their own board first. There are provisions in our bylaws; for example, if the college becomes aware of a criminal conviction, we don't have to wait for a report from a school board.

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**Mr Steventon:** Let me add one more thing. We also have a provision in our legislation, in our bylaws, for what is called a five-member complaint. In other words, we can receive a report on a teacher alleging misconduct if it is made by five members of the profession but not by an individual member. We have received relatively few of those complaints but we have received some, and that is one of the other avenues by which we receive reports on members.

**Mr Wildman:** You've answered my final question: Has it happened very often that the registrar has, on the basis of complaint, initiated a discussion with the board about whether or not action might be started?

**Mr Steventon:** Be clear that a five-member complaint is a particular source of reports for us. A five-member complaint is not a complaint initiated by the registrar; it's initiated by those five members. I'll let Mr Smart answer your question.

**Mr Smart:** We certainly have had cases where we've become aware of criminal matters particularly about people who aren't currently employed where we have initiated action. I'm not aware of any case where we have had a parental complaint that's gone forward by us without any action being taken by the school board.

**Mr Floyd Laughren (Nickel Belt):** Could you help me out with the distinction between misconduct, incompetence and incapacity? Are they dealt with differently than the issue of misconduct, which you've been talking about?

**Mr Smart:** Yes. We think that misconduct deals with behaviour, and there's all sorts of case law on what misconduct is, but it's essentially inappropriate conduct with pupils of a physical, sexual nature. Incompetence generally deals with carrying out one's duties in the classroom in the instructional sense. Incapacity generally refers to being unable to carry out one's duties because of a medical condition. It could be alcoholism, it could be a mental condition and I suppose in some circumstances it could even be a physical condition.

We can cancel certificates for misconduct, we can suspend certificates, including indefinite suspension, for incompetence and incapacity, we can require medical evidence, we can require a course of study, but we cannot under our legislation just cancel a certificate for incapacity or incompetence.

**Mr Laughren:** The incompetence issue, though, is dealt with first at the board level and then it comes to the college.

**Mr Smart:** Yes. Incompetence issues are dealt with first at the board level. They must be.

**The Vice-Chair:** Thank you very much for your involvement and for all your information. We'll sign off now, and I hope that springtime has arrived on the west coast because it certainly hasn't here so far.

**Mr Steventon:** You're welcome. We hope it was helpful.

**The Vice-Chair:** I think we should handle question period that way. Phone it in.

#### FEDERATION OF WOMEN TEACHERS' ASSOCIATIONS OF ONTARIO

**The Vice-Chair:** I'd now like to call on the Federation of Women Teachers' Associations of Ontario, Joan Westcott, executive director, and Sheryl Hoshizaki, president. Thank you for joining us. You have half an hour for your presentation, and that includes any time for questions and answers from the different members who are here. Perhaps you could identify yourselves for the purposes of Hansard, please, and make your presentation.

**Ms Sheryl Hoshizaki:** I'm Sheryl Hoshizaki, president of the Federation of the Women Teachers' Associations of Ontario. We represent approximately 41,000 teachers in the elementary system and who are women in the public system. With me I have Joan Westcott, who is the executive director of the federation.

You have before you our brief. Some of you on this committee I know will recognize our format in brief, and hopefully you will find it helpful. I'm going to try to do an overview to give you the opportunity for questions.

We were part and parcel of the presentation from the Ontario Teachers' Federation. I'm sure you're well aware that there are five affiliates, and we believe it important to present to you on behalf of our members today. We would not necessarily like to restate the positions of the Ontario Teachers' Federation. In some cases we might want to emphasize them, but we also believe we have some particular issues that we would like to present to you on our own behalf.

We also represent a majority of teachers who teach in the classroom, and for that reason we have established today what we, as teachers in the elementary system, believe are two themes to our presentation, one being the issues of self-governance and the second being natural justice.

I would like to state at the outset that in the Federation of Women Teachers' Associations of Ontario we believe that no profession is strengthened by incompetence. Our members have consistently stated, and our organization on their behalf, that we welcome the opportunity for self-governance, and we have been consistent with these beliefs. We believe it is our leadership responsibility to publicize this position.

We'd like to move to the area of self-governance. We believe that self-governance "offers teachers an opportunity to take collective responsibility for their own profession," and in the words of the parliamentary assistant, we also agree that this government has complemented our position by saying, "We are putting the responsibility for excellent teaching in the hands of those who are best qualified to know what a teacher should and must be today and in the future." In order to do this, we urge the committee to revisit the issue of self-governance and how



this bill actually denies the opportunity for teachers in self-governance. We would like to refer to subsection 4(2), the composition of the council; section 12, the powers of the minister; and section 3, the objects. We have outlined them. I will briefly go through them.

The composition of the council: Our position is that classroom teachers should make up the majority of the governing council of the college, which is stated quite thoroughly in there, but I would like to state that this government has had an incredible amount of publicity around the importance of the classroom. We believe this is the opportunity for the government to ensure that the value of classroom teachers is part and parcel of the emphasis on not impacting on the classroom to the extent that they are suggesting.

In addition, we support the proposal that was presented by the Ontario Teachers' Federation, to ensure that there's representation from the public. We believe that it is not only key but that it is our responsibility and our accountability to the public, as was presented by OTF, in terms of representation on what we now have, the relations and discipline committee. It's not a new position of the Ontario Teachers' Federation.

We also support the recommendations of the implementation committee that there would be a balance of representation throughout the region, considering the enormity of this province; balance of representation in elementary and secondary; balance of representation in the publicly funded system, both in public schools and in the separate system, and of course representation of both the French and English communities. Under the proposed legislation, however, we still believe there is no guarantee that there will be any representation of classroom teachers, so we would like to have you peruse our presentation on that so you can recognize that that can happen.

However, we would like to emphasize that there would be a balance of gender and that it is addressed in the legislation. Teaching in Ontario is predominantly a female occupation. According to the Ministry of Education and Training statistics 1993-94, 74% of elementary teachers are women and overall in Ontario 62% of full-time teachers are women. We believe it would only make sense that the council reflect this representation. You already heard from the BC college, and I'm sure they didn't mention this, but it states right now the government of British Columbia has raised concerns because there is an imbalance and that as named right now they are only three of the five appointed positions.

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In addition, in the Privilege of Professionalism, the implementation committee noted that it is "important that the college monitor the achievement of gender, visible minority, and classroom teacher balance in the governing council and seek to remedy any emerging imbalances." We as an organization would support all three issues.

The power of the minister in the area of self-governance: We believe that the extensive powers given to the minister under section 12 of Bill 31 negate any assertions that this college would be a self-regulating body. We also recognize that the regulations are law, therefore the college can only make regulations with the approval of the Legislature. However, if it is true self-regulation, why

does the minister also have the power to require the council to "make, amend or revoke" a regulation? These powers are extended even further than in the Regulated Health Professions Act, and only in Bill 31 can the minister also make, amend or revoke bylaws. It is our position, as an organization, that the Ontario College of Teachers should be truly a self-governing body, therefore this section of the act should be amended as outlined in the Ontario Teachers' Federation submission.

Objects: The notion of self-governance implies that a professional college has the discretion to set the professional and ethical standards for its members and to enforce them. Such responsibility is succinctly outlined in five or six objects in the colleges under the Regulated Health Professions Act, but there's a lengthy list of 11 objects in Bill 31 and they are inconsistent with the notion of self-governance.

On the one hand, it provides for the College of Teachers "to develop, establish and maintain qualifications for membership" and also "to establish and enforce professional standards and ethical standards," which are consistent with self-governance. However, Bill 31 then goes on to include objects related to ongoing education. Such details should not be described at all in objects. It makes no sense to say the college will set the standards and then add details that fetter the discretion of the college in deciding what needs to be done. The college already is given the means to deal appropriately with the maintenance of professional competence elsewhere in the statute, so we believe it is unnecessary and inappropriate to include these additional objects in the legislation.

Further, our organization does not agree that part 11 of the objects should be included. The objects of the college should be determined in this legislation and should not be open to the expansion of regulation.

The second scene to our presentation is in the area of natural justice, or what we usually say in schools, "the fairness of issues." I'm sure most of you recognize that fairness is what really drives the culture within our publicly funded school system and is essential to what children believe is their right, so it's only natural that teachers would believe the same thing.

It is our common understanding in our democratic society that every citizen has a right to expect natural justice or, as the Americans say, "due process," the right to be heard and the right to defend oneself. As an organization, it is only natural that we would believe that teachers should have the appropriate input into any decision that will materially affect them, certainly when the input may affect decisions being made about their professional lives. There are several sections of Bill 31 that have the potential to deny natural justice to teachers.

Right to counsel: Teachers' right to be represented by counsel throughout all the proceedings to do with registration, investigation or discipline should be clearly stated in the legislation.

Right to appeal: In Bill 31, the right to appeal to court is restricted under section 32 to proceedings before the registration appeals committee and the discipline committee. The right to appeal should be extended to proceedings before the investigation committee, as this committee may require a member to appear before it to be cautioned

or admonished or take such action as it deems appropriate. Such an action by one's professional body should be seen by teachers to be a serious punishment.

There must be an appeal route available to teachers when such decisions are made by the investigation committee. At minimum, there should be an internal administrative appeal route to provide a sober second look at such decisions, and of course the right to hearings.

Bill 31 fails to protect fundamental principles of natural justice. At every case and at every level members should be allowed, at a minimum, to make written submissions based on full disclosure. In many situations, justice cannot be done without an oral hearing. Therefore, it is the position of FWTAO that "no hearing" subsections 20(6), 21(6) and 25(8) related to the registration appeals committee and investigation committee must be deleted.

In the area of complaints, it is essential that members be notified immediately when a complaint has been made against them to the college. Delays in doing so can prejudice the member's ability to gather evidence to refute the complaint. Immediate notification should be specified in clause 25(3)(b). We believe that to be only fair.

It is FWTAO's position that there must also be a provision for timely disposal of complaints and consequences for failure to comply with the time lines. Such a provision, while absent in Bill 31, is present in section 28 of the Regulated Health Professions Act. Teachers should have at least the same rights for timely disposal of complaints against them as do other professionals.

With the advent of the college, teachers may be subjected to what we refer to as triple jeopardy. They may face discipline by the courts, by the college and by their employers for the same matter. This makes the timely disposal issue even more important as members should have the right to deal with the issues separately in each arena without having the entire issue drag on for a long time.

The admissibility of evidence: Bill 31 fails to protect teachers by failing to circumscribe the admissibility of evidence at hearings. We believe that given the importance of professional discipline proceedings to careers and reputations, nothing should be admissible at a hearing that would be inadmissible in a court in a civil action, and the findings of the panel should be based exclusively on evidence admitted before it. Such protection is found in both the Regulated Health Professions Act and in regulations made under the Teaching Profession Act. It is the position of our organization that such a provision be included in the legislation establishing the College of Teachers.

Full disclosure: Three constitutional rulings have established the right of an accused to receive full disclosure of everything that has been found by the prosecution in investigating a case against them. In discipline cases, the college is standing instead of the prosecution and all their findings should be disclosed. Subsection 29(3) of Bill 31 only requires disclosure of documents that will be given in evidence at the hearing, thus allowing the college to withhold from the member other evidence that

came to light in the investigation that might be helpful to the member. This incomplete disclosure is constitutionally inadequate. Full disclosure must be guaranteed in the legislation.

Incapacity: I know I heard a question on this. Clause 28(3)(b) provides that the discipline committee may find a member to be incompetent if "suffering from a physical or mental condition or disorder." A more humane, confidential, problem-solving approach is provided for members of other colleges under the incapacity sections of the Regulated Health Professions Act, sections 57 to 69. It is the position of FWTAO that where teachers' inability to carry out their professional responsibilities is the result of a physical or mental condition or disorder, they too should have the right to incapacity proceedings that are humane and confidential and are focused not just on punishment, obviously, but on problem-solving.

Under interim suspension, subsection 27(2) of Bill 31 gives the council or executive committee the power to temporarily suspend a teacher's certificate before a determination has been made as to the member's guilt or innocence in respect to allegations of misconduct or incompetence. This is an extraordinarily punitive and unnecessary measure, given that teachers are not self-employed. If there's any concern that the conduct of a member may expose students to harm or injury, the employer, the school board, has the power to remove teachers from their duties. It is not necessary for the college to suspend the teacher's certificate in order to protect the students. This section should be removed from the legislation.

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Powers of the investigator: Section 34 of the bill provides college investigators extensive powers to enter and search teachers' workplaces and homes if they receive a warrant from a justice of the peace. This is the issue that teachers are very concerned about. It is the position of our organization that such extraordinary powers for the College of Teachers investigators are totally inappropriate and unnecessary. Allegations against the teachers that require such serious measures should be investigated by the police, not the college.

Right to obtain information: As an organization, we have serious concerns about the power given to the college, an administrative body, to obtain personal information about teachers, under subsections 44(1), (4) and (5) of Bill 31. Under this section, the minister, college and school boards may collect and share personal information about teachers that is normally protected under the Freedom of Information and Protection of Privacy Act.

This power goes beyond even that given to the courts, and I think you heard more of that this morning. Courts need a subpoena to get documents that are protected under the Freedom of Information and Protection of Privacy Act. It is impossible to justify giving school boards, the minister or the college or anyone else the right to disregard the basic rights of teachers to protection of privacy. It is the position of our organization that these provisions be eliminated from the legislation.

Disclosure by school boards: Subsection 44(3) places an obligation upon school boards to notify the college in



writing whenever they form the "opinion" that the "conduct or actions" of a teacher should be reviewed by the college. Reporting obligations should not be premised on something as vague as an opinion. How can boards be sure when they must report? It is in the best interests of the members, the school boards and the college that this vagueness be corrected.

Everyone is best protected if the obligation to report to the college is triggered only when a board has terminated the employment of a member. This is in keeping with the provisions concerning employer reports under both the Regulated Health Professions Act and the British Columbia College of Teachers.

FWTAO members support the concept of a college of teachers. However, we cannot support the college as it is proposed in Bill 31.

Teachers are prepared to be a self-governing profession. The 41,000 women elementary teachers who are members of our organization believe there should be clear professional and ethical standards for teachers. Teachers are lifelong learners committed to professional excellence. The members of our organization are committed to working with the public to ensure the high standards of our public education system are maintained and even strengthened.

The creation of an Ontario College of Teachers should be a positive step for the profession and the people in this committee can make it that. Yet Bill 31 actually denies teachers the right to self-governance. It even denies natural justice for teachers. Our organization urges that changes be made to Bill 31 to address these serious flaws. Do not deny teachers the real privilege of their own profession.

As teachers, we have given you a list of recommendations. I won't go through them. They're there. What they actually help do is focus in on the sections and parts of the bill that we know could be changed, amended and deleted to assist what we believe for our profession being strengthened in the province.

**Mr Miclash:** Thank you, ladies, for the presentation. Sheryl, I must say that the folks at Oxdrift do miss you. Sheryl's a former principal of Oxdrift public school and they quite often ask about you in my riding.

Sheryl, I've had a number of concerns expressed to me about the cost of the college. We heard earlier on today from the folks in BC that there were some initial fees, along with a \$50 annual membership which went to \$40. Are you hearing anything, any concerns about the actual annual cost of membership to the college?

**Ms Hoshizaki:** We would be hearing what everyone else is hearing in the province and the teachers believe that, again on the fairness issue, there hasn't been anything terribly fair in the idea that teachers would be paying, I think, a \$90 fee for the college, to be registered with the College of Teachers, believing they then become the only profession to be actually taxed, considering that this is—

**Mr Miclash:** Another tax.

**Ms Hoshizaki:** Another type of tax, yes. I guess that yes, that has been expressed as a concern from our members.

**Ms Joan Westcott:** I would like to pick up on one point on that. One of the issues you will note as you go

through the clause-by-clause section OTF has presented is that one of the clauses we're recommending be deleted is the clause that proposes the college pick up all the costs since April 1994 that have been incurred regarding the College of Teachers. Certainly we don't support that, and if we need to cover those costs for the government, and surely we will need to, teachers will be paying a large fee and we don't think that's fair.

**Mr Miclash:** You talked about the involvement of classroom teacher representation and I really quite appreciate your comments in that area. How would you suggest that representation be selected to serve in terms of representation on the college?

**Ms Westcott:** If I might respond to that, when the Ontario Teachers' Federation and the affiliates presented positions to the implementation committee, we identified some ways in which the representation could be worked out to ensure there was representation in all the different aspects, as Sheryl mentioned when she was making the presentation. Unfortunately, that hasn't been picked up.

Now we understand that wasn't worked into the legislation and will be worked in in other sections, but we clearly believe that there are ways of working out the election process to ensure teachers are adequately represented in all aspects we've identified, both the two school systems, ensuring both elementary and secondary, ensuring adequate classroom teachers, ensuring adequate representation of women teachers. We think it can be worked out and we hope to have the opportunity to give some input to ensure those systems are in place. We don't feel very likely that will happen, unfortunately.

**Mr Wildman:** Have you suggested the amendments that you've raised here to the government, to the Ministry of Education and Training officials, and if so, what response have you received?

**Ms Westcott:** I believe the ministry is aware of the proposals we have made and we are not aware of any proposals the ministry may be making to change what is currently in Bill 31.

**Mr Wildman:** As you know, we're having hearings this week and next and then a week of clause-by-clause. Because of the shortness of time, Mr Chair, I would suggest, if it's appropriate, that Mr Skarica, the parliamentary assistant, indicate to the committee if the government intends to introduce amendments, and if so, what they are so that we will not then have presentations for the rest of these two weeks dealing with all the proposed amendments if some of them are already covered by proposals the government is going to make.

I hope we could do that to ensure we get an adequate presentation from everyone about the proposed bill as the government intends to amend it, not just as it is currently drafted. I hope that a number of the proposed changes, such as membership on the board and so on, that have been suggested by FWTAO and others could be incorporated in the government's amendments.

**Mr Pettit:** Sheryl and Joan, it's nice to see you again. It would appear on page 2 that you obviously object to three of the 17 positions on the council being reserved for a supervisory officer, a private school teacher and a faculty member. If you would, how would you define "classroom teacher"? Beyond that, do you feel that the



department heads or teacher librarians or vice-principals or consultants should be prevented from running?

**Ms Hoshizaki:** First of all, I don't think they're prevented. It depends on how it's going to be determined people are going to be on the council. I think our position is that there isn't a guarantee that a faculty member, for example, or a supervisory—not that they wouldn't be on the council or have a place on it, but there's no guarantee that they are classroom teachers. Our point to emphasize here is that there's representation from teachers who are in the classroom. The way it is set up now and is being proposed, there's no guarantee that any teacher who is presently, right now, teaching in a classroom has the opportunity to have representation on this council.

I don't believe personally, for example, that a supervisory officer, private school teacher or faculty member doesn't deserve to be on the council. It's the fact that they may not represent the classroom teacher or the teacher who is being proposed be represented. That's the problem with it.

1630

**Mr Pettit:** Why do you say that a private school teacher does not come under the definition of a teacher?

**Ms Hoshizaki:** I guess as an organization, what we would like is the assurance that a classroom teacher who's teaching in the publicly funded system be represented.

**Ms Lillian Ross (Hamilton West):** I just want to follow up on that question. Actually, that was sort of my question, but I just wanted to ask, when you say that you wanted classroom teachers to be a part of the college, and yet when it comes to supervisors, superintendents, vice-principals and that, you have a little bit of difficulty there because you don't classify them as classroom teachers, I guess the problem I have is that many of these people have worked their way up through the classroom and are very, very knowledgeable, and that's why they've moved up. I have a real problem with saying that they shouldn't be a part of that college.

**Ms Hoshizaki:** I don't think we're suggesting that they shouldn't be a part, but they shouldn't be as representation of classroom teachers. I don't want to argue or debate the point, but we do have supervisory officers who work within boards of education who have not come through that system. They're supervisory officers in the business component, which means that without that experience, if we were only to have representation by supervisory officers who only come out of the business section, then we do not have representation from the classroom. So it's not an insistence that all representation be classroom, but we have to have guarantees that if this is truly a college that's representing teachers, we should have practising teachers on it.

**Mr Bruce Smith (Middlesex):** Thank you for your presentation. Yesterday the OTF used some fairly strong language and alluded in their presentation that the college would perhaps lead to the detriment of the education system. Given your support for the idea of the college, and I recognize your comments on self-governance and natural justice, is that a view that you would hold and perhaps agree with in terms of the college impacting and being a detriment to the education system?

**Ms Hoshizaki:** We don't believe the college's concept would be a detriment to the profession, but the college as proposed under this bill could impact on the profession.

**The Vice-Chair:** Thank you very much for your presentation. The half-hour is completed.

## ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION

**The Vice-Chair:** I would now like to call upon the Ontario Public School Boards' Association, Donna Cansfield, president, and Lynn Peterson, executive vice-president, if you could come forward, please.

**Ms Donna Cansfield:** My name is Donna Cansfield. I have brought with me this afternoon Mike Benson, the executive director of the Ontario Public School Boards' Association. We're very pleased to have the opportunity to appear before this committee on two very important issues in education.

First off, we would like to say that the Education Quality and Accountability Office is a very important body which the Ontario Public School Boards' Association fully supports and endorses. Of this office, under the capable leadership of Joan Green, the only request we have is that it should remain at arm's length from the government.

Four years ago we brought forward this proposal to the government that testing must be an integral part of what occurs in the life of a student and that it is every student's, parent's and taxpayer's right to know where children stand in terms of the local, provincial and international testing. The issue of credibility is important. So we again state that it should remain at arm's length from the government.

The other is the important focus that it started out with, and that is that we always want to improve student learning, not to prove it. That is the main reason for testing to begin with.

The school boards' association represents over 90 public school boards serving 1.7 million students in Ontario. It's important for us to be able to say to you that we support the principle of the College of Teachers, as set out in the 1994 royal commission report *For the Love of Learning*. In a submission to the royal commission, we stated that teaching should be addressed as a valued profession of accountable, qualified teachers, and as a professional body, the College of Teachers will assist in that regard.

We also, though, recognize that we are employers, and as employers, it is imperative that school boards have representation on the governing council of the college. School boards, through regulations accompanying the bill, should be given the opportunity to play a much more significant role than providers of information.

Our recommendation is that the Ontario Public School Boards' Association must have representation on the governing council of the College of Teachers.

Paragraph 7 of subsection 3(1) of the act states that the college will establish and enforce professional standards and ethics applicable to the college. While we understand that it is not particularly clear at this time what those standards would be, it is important for us to recognize

that they may be regarded as minimum standards only, and as school boards try to attract the highest qualified candidates for employment, we must have and should maintain that ability to do so.

Our recommendation is that we support the setting out of professional standards and ethical standards through the College of Teachers. We recommend that the act should state that school boards may require employee standards that are above those that may be set out in the act.

In paragraph 8, the college receives the power to "receive and investigate complaints against members of the college and to discipline members." The college will have two committees set out to conduct this process. The association recognizes that it will be difficult for the discipline committee to exhaust the many forms that misconduct may take, and as employers, school boards should not be excluded in that process.

The bill fails to take into account the arbitration process that is already in place in school boards, and we are concerned that the bill sets out an additional bureaucratic process, including investigation and adjudication. We are concerned in particular that children who appear as witnesses in an arbitration process would be required to repeat this. The personal anguish is a concern to us.

We ask that the discipline committee of the college should first review the findings of a school board arbitration and then the committee should determine whether a certificate should be revoked, suspended or otherwise limited.

Our recommendation is that the discipline committee be required to accept as conclusive the rulings of an arbitrator, arbitration board or board of reference on matters of fact. We also recommend that the regulations to Bill 31 include a mechanism to inform the board of education in all cases where a complaint is forwarded to the discipline committee of the College of Teachers. As you know, we have recommended that the association must have representation on the governing council of the college and that this appointed representative should retain membership on either the discipline or the investigation committee.

Part III, clause 22(2)(c) refers to the removal of information from the register and states a "a notation of every revocation, cancellation and suspension of a certificate of qualification and registration." We maintain that this information, while not public, should be permanently maintained on an employee's record. It is important for employers to have this information when hiring teachers.

Therefore, we recommend that Bill 31 be clarified to ensure that the revocation, cancellation or suspension of a member's teaching certificate become a permanent notation on the registry of the college.

In our submission to the Royal Commission on Learning, we called for "teacher education which reflects the new workplace skills and attitudes required to prosper in our changing economy." We also stated that the association would like to see teacher education described as "an integral component of all government initiatives, reflected in policy statements and in documentation."

Paragraph 9 of subsection 3(1) provides for the ability of the college to "develop, provide and accredit additional

educational programs" leading to certification, "but not limited to certificates of qualification as a supervisory officer, and to issue, renew, amend, suspend, cancel, revoke and reinstate such additional certificates." This is also unclear in the act, and we feel there is not necessarily a connection to what occurs within the school boards. Since these certificates will be used for the promotion of individuals to more senior positions, as employers, school boards should be given the opportunity to have input into the issuing of certificates of qualification additional to those required for membership in the college.

Therefore, we recommend that the college set out criteria and issue certificates for teaching positions only. **1640**

In our last comment, under professional development, the role of the college in terms of professional development, training and education must be clarified. In part II, paragraph 4 of subsection 3(1) states that the college will "accredit ongoing education programs for teachers offered by post-secondary educational institutions and other bodies." We support this initiative, but it should be clarified so that it complements the work currently being carried out by school boards which do provide in-service education to their own teaching employees. The responsibility of the college in professional development should focus on courses that school boards are not able to provide to their employees, rather than duplicate.

The Ontario Public School Boards' Association recommends that Bill 31 be amended to clarify the role of the college in terms of professional development, training and education. A consultation process should be put in place to ensure that the courses offered by the college complement the work currently being done by school boards.

In conclusion, the Ontario Public School Boards' Association supports the principle of the College of Teachers. We would like to restate the need for school board representation on the governing council of the college. Bill 31 encompasses many areas in which school boards currently have some jurisdiction and, as such, boards should be given a direct representative who can assist in communicating the work of the college.

We also understand that in the beginning, the setting up of a College of Teachers will have its areas of problems and difficulties. In supporting the college, we would also like to offer an opportunity to work with the college, to assist them in any way to get around some of those problems and to find solutions in order to make this a valuable contribution to our profession as a whole, which is education in the province for the children and youth.

I had an opportunity to speak to some folks from New Zealand and from Scotland, both of whom have something very similar in their jurisdictions. They also indicated that in the beginning there were difficulties in getting their college or their council up and going. Certainly in Scotland it's been up and going for some time. In New Zealand it has as well, and it is now looking at expanding its mandate. It was seen as a threatening opportunity in the beginning, but later they realized there were things that could be done to enhance good education for the children in their jurisdiction.



I would like to restate that we would like to be a part of the solution to enhancing educational opportunities for the children and youth in this province and to offer our assistance in any way that can come about.

**Mr Wildman:** Thank you, Donna. You may not have heard, but at the beginning of the session today we had a presentation or a discussion between us and the representatives of the British Columbia college about how their college is organized and operates.

One of the things that came out of that discussion was that in British Columbia, on questions of alleged misconduct, the boards exercise their responsibility as employers and of course the teachers have access to arbitration and so on, as you have mentioned in your presentation. All that happens with regard to the college is that the boards are required to inform the college of any such action, and it isn't until subsequent to the arbitration or whatever that the college might become involved if the college felt it was serious enough to consider the lifting of a certificate.

Would you be in favour of that kind of approach in Ontario rather than what is proposed here? I note that you do express concern about duplication, and some teachers have expressed concern about double jeopardy.

**Ms Cansfield:** We are very concerned about the issue of duplication, and because the bill is not clear on the jurisdictional issues around the responsibilities of the school board for its employees, we've asked for that clarification. We understand that in British Columbia, as created, it was the other way and it was changed because they recognized that it was an area that could use some clarification. Certainly the school boards are looking for ways to enable this to occur. It's supposed to assist processes, not inhibit, so obviously we would be in favour of anything that would assist.

**Mr Wildman:** If that were the case, if that amendment or change were made, would it then be necessary, do you still think, to have representation of boards on the governing council of the college, particularly if, as in British Columbia, boards and federations and faculties of education were left to have the responsibility for ongoing professional development rather than the college as is proposed in the legislation before us?

**Ms Cansfield:** I would say yes, it is important that we have representation. One of the things I've discovered in my very limited political life is the great need for communication of what happens in this world. When things seem to appear in isolation and we don't talk to each other, then problems seem to be created. I see the opportunity by working together in the format of sitting on a committee to enhance rather than to take away from.

When we spoke to the chap in New Zealand, he agreed and that's one of the reasons why they have a lot of different representation. This is a large province; like you say, it's about the size of western Europe. It has over 170 school boards, 5,000 schools. You can see where there's some need obviously for some communication to take place. What better way to do it than on this type of governing body?

**Mrs Ecker:** Thank you very much for your presentation. One of the things I wanted to ask about is you've said that you would like to be represented on the governing council and also the discipline committee. If this is to

be a self-governing operation, so it's teachers governing teachers, which is modelled on the regulated health professions sort of model, I was curious why you thought as an association that you should be specifically represented in those two forums. The hospital association, for example, is not represented on the governing councils or the discipline committees of the many colleges that regulate the people within their employ. I was just curious as to why you felt that was so necessary.

**Ms Cansfield:** As it's set out currently in the complaints process, the discipline committee, as we've indicated, does not have to take into consideration the arbitration process that is currently in place in the school boards. We've indicated that in fact it sets out another process. You can easily see where it puts us at cross-purposes if we already have something in place. Part of our responsibility is to protect the people who work for us in addition to children who might come forward as witnesses. There's nothing in here that would preclude the college demanding the same witnesses to come forward and go through the whole process again.

**Mrs Ecker:** But that's similar to what would happen in employee situations in hospitals. I guess what I'm trying to wrestle with is, why are you, if you will, unique in this circumstance in terms of needing this kind of representation?

**Ms Cansfield:** Because we deal with children. We're not dealing with adults. That's the critical issue. We're dealing with children who are as young as 3.8 and go to 21 years. It actually is our fiduciary responsibility to provide a safe environment for those children in all parts of their educational experience. If we were to permit this to go forward without indicating the difficulty that could arise, and especially since this has been an area that has increased and not decreased in the recent past, then it is our responsibility to ensure that if we can stop that process, we would. By being a part of that, it just makes some sense.

**Mrs Ecker:** Why would you wish to have information in all cases where a complaint's been forwarded to the discipline committee if the discipline committee's job is to assess the validity of the complaint? Given the fact that there may well be complaints and issues that are brought forward, which a discipline committee may wish to find a teacher innocent of the allegations, why would you want to have that information before that semi-judicial test has been conducted on the accuracy of the information?

**Ms Cansfield:** It's important as employees, again because we're dealing with children and youth, that we have the opportunity to scrutinize any potential employee's record in terms of what has been held as a complaint against them. I don't think that's any different than any other jurisdiction. If you have an employee and there is a serious complaint that has gone to the College of Teachers, and we are the employer, I think it's incumbent upon them to let us know that this has occurred, for two reasons: one, we are the employer, and secondly, it already may be in place and ongoing in our own process. So again, why would you want to duplicate something that doesn't make any sense? What we're trying to do is reduce those types of duplication rather than encourage them to continue.



**Mrs Ecker:** So you think confidentiality wouldn't be a concern, that it would be able to be observed?

**Ms Cansfield:** Obviously, as employers we respect that confidentiality. It's there anyway in all other matters. Certainly all those things that are currently part of the process within a school board—my school board alone has 3,000 employees. I can assure you that confidentiality is a standard we set very highly in our board.

1650

**Mr Pettit:** I'd like to applaud you, first of all, for wanting to be a part of the solution, and I commend you for that spirit of cooperation. Sometime last year the OTF circulated a paper suggesting that public representation on the council be limited to 25%. Then about two weeks ago during second reading, I think actually it was Mr Patten who suggested that 10% to 15% would be sufficient. That would be three or four seats out of 31, shared among trustees, parents, faculty, students, business, labour and multicultural interests. Is that sufficient to protect the public interest, and if not, which of those would you suggest not be represented?

**Ms Cansfield:** One of the difficulties is, if you limited the representation to such an extent and then went out to all of those folks you identified, I'd like to figure out how you'd pick anybody to begin with. That is part of the problem. We all have very vested interests in our employees. You certainly create a problem.

We don't see this opportunity to be a part of the college as presenting a "them and us" but rather an "us," and how we can work together to enhance the teaching profession on behalf of the children and youth we serve in this province. Our participation is not meant to be anything but to assist the college in doing its mandate or what is proposed as its mandate. We would certainly see that reduction as problematic, and we would be petitioning, obviously, to be a part of that number.

**Mr Toni Skarica (Wentworth North):** I have one question. You indicated that you didn't have any representation on the board, and the implementation committee recommends the appointment of three school trustees. Could they not look after the school boards' interests, or if they can't, why couldn't they?

**Ms Cansfield:** Certainly that's a possibility, but obviously as a school board association we represent 1.3 million students and 500,000 adults. An individual trustee may not be a representative of the association but rather a representative of himself or herself and a board. So they come with a different perspective, whereas from an association perspective, obviously we would try and bring a broader position or a broader provincial thinking to the College of Teachers as opposed to a local board thinking. Again it makes some sense, because we have the ability to bring together the kind of information that might be required in order to assist the college from a provincial perspective, whereas an individual representing just himself or himself and/or a board certainly couldn't do that. They wouldn't have the tools with which to do it, the measures with which to go out and solicit that kind of broad-based information.

**Mr Patten:** One of the questions that was raised earlier—and this is around the whole debate about representation—was, "I'm not so worried about it but

some of my colleagues and some other parties are worried about the influence of federations," this sort of thing. It would seem to me that what the representation suggests is direct representation from teachers. If your association was to select the three or be the three from your board, then I would think the federations might say, "Well, listen, we represent teachers in a similar manner on a provincial basis, so therefore we should be the ones who make the selection." It creates a difficult position for the college in terms of, where do they come from. Should they be directly or should they be indirectly, or is there some kind of a combination?

**Ms Cansfield:** Your point is well taken, but again I think it's the premise from which you come. The association is prepared to work to assist to find ways to find solutions to the difficulties that might arise. We see great opportunities in terms of professional development, working together. We obviously have our difficulties in terms of some labour issues, but the association and the federations have a long history of working together on a number of issues around curriculum, parent councils, and there are many more. We see this as an opportunity to be collaborative, to work together to find solutions and to be cooperative. We don't see it as them and us, as I indicated before.

**Mr Patten:** No, I agree. I mean, it would seem to me that at some point—it's difficult to legislate cooperation. It would certainly be useful, either in a preamble or certainly if the college moves ahead, that there be some identification of the accountabilities with others who have a body of knowledge that would be of value, and certainly your body would be one and so would the federations, OTF and whoever is in the field.

If I could ask, you made one comment about Bill 30, and that was that you felt it was somehow not arm's length enough from the minister. Was that one way of putting it?

**Ms Cansfield:** We would like the bill to remain at arm's length from the government, whatever the government of the day is. We think that's really important to the credibility and accountability and we know that can occur, but it really is important so that when results are published, they are received not with scepticism but with a healthy attitude. We think that's important on behalf of the children and the youth.

I would like to comment again on the other, working together. I know, as I indicated before, there are always areas of difficulty, but it always has been my feeling, when I go out and speak with teachers—people don't come together in a mean-spirited kind of way, especially in the educational field. They really do come together to try and work on behalf of the children and youth in this province. They just don't come from the other kind of attitude. There are areas, obviously, around labour. That's different. When it comes to doing good things for children, people really are well-intentioned and good people.

**Mr Patten:** I agree. I wonder, some representations we've had have stated that in both instances, in both Bill 31 and Bill 30, the assurances of the arm's-length relationship really be maintained. I'm wondering if you have similar thoughts related to Bill 31 as you do Bill 30 on that issue.

**Ms Cansfield:** Certainly. There's no question. Again, if you want to, for the credibility of the College of Teachers, the mandate is that it's set up at arm's length and it should remain so as well. That is its general accountability to the public as a whole, as well as to the profession. Nobody would like to think that there's a third party interfering in that process and I think that is very important.

**Mr Dominic Agostino (Hamilton East):** Just a quick question: As a member representing school boards across Ontario, do you not feel that the tools and the mechanisms in place for standards for discipline and for complaints be handled through the current process, which obviously would involve a number of steps, up to and including the board and then the minister ultimately with the recommendation at the end—do you not feel those provisions in place are adequate to deal with the issues of competence and discipline as it comes to classroom teachers?

**Ms Cansfield:** Certainly, there are provisions that are there, but I believe it's really important to us today, since we are under such public scrutiny, that we have to continually look to improve the practices and policies we have. To be seen as being complacent is just not appropriate today. I think it's really incumbent upon all of us to look to how we can continually improve the system. We have a very fine system. We educate our children probably to the best in the world, yet our belief in our broader community is continually lessening. Part of that is we need to bring forward to the public those structures that enable them to believe again in the credibility of the system, because it is a very fine system.

**The Vice-Chair:** Thank you very much for your presentation, Ms Cansfield. Just for the record, I believe the gentleman with you is Mike Benson and not Lynn Peterson.

**Ms Cansfield:** Right. Lynn was ill and left.

1700

## COALITION FOR LESBIAN AND GAY RIGHTS IN ONTARIO

**The Vice-Chair:** Next we have the Coalition for Lesbian and Gay Rights in Ontario. Greg Pavelich and Lynn MacGyver are the spokespersons. Welcome to our meeting.

**Mr Greg Pavelich:** My name is Greg Pavelich. I'm with CLGRO, the Coalition for Lesbian and Gay Rights in Ontario, a member of the sexual orientation and education project working group.

**Ms Lynn MacGyver:** My name is Lynn MacGyver. I'm a member of CLGRO. I'm also a member of the sexual orientation and education group. I'm a teacher with the Peel Board of Education.

**Mr Pavelich:** "The other students were able to talk about their dates, their sexuality, the issues that were important to them. I couldn't. I would have risked humiliation, rejection and physical injury." Miguel Rosales, Harbord Collegiate, 1995, Toronto.

**Ms MacGyver:** Greg is reading from our brief which we've brought to you.

One of my former students hung himself the night before his commencement. At that commencement, I was

to have given him an academic achievement award. I found out later that several of his teachers suspected he was struggling with his own sexual orientation. I still to this day wonder if he would have killed himself if he had known that he had a lesbian teacher.

**Mr Pavelich:** Most lesbian, gay and bisexual teachers live in fear of having their sexual orientation known. Their heterosexual colleagues are able to openly discuss their relationships, community involvement and interests, making no secret of their sexual orientation. In contrast, most lesbian, gay and bisexual teachers hide.

Why? Despite all the evidence to the contrary, stereotypes and myths about lesbian, gay and bisexual people persist. Stereotypes and myths include that homosexuality and paedophilia are somehow linked, and that lesbians, gays and bisexuals are negative influences on children.

In an environment fraught with such beliefs, lesbian, gay and bisexual teachers are profoundly more vulnerable to conscious and unconscious scrutiny and monitoring than heterosexual teachers. At its most extreme, myths result in witchhunts against lesbian, gay and bisexual teachers. Discrimination and harassment are frequently the result when a lesbian, gay or bisexual teacher's sexual orientation is discovered. Administrators, other teachers, parents and students have all been party to such discrimination and harassment.

Fear of discovery means that cases of discrimination, harassment and sometimes hate-motivated violence against lesbian, gay or bisexual teachers are almost never reported to authorities, such as sexual harassment officers and the Ontario Human Rights Commission.

**Ms MacGyver:** None the less, a few teachers are willing to have their stories told.

Last winter, a male student returned to an eastern Ontario school after a disciplinary suspension and climbed on to a table. His male teacher wrapped his arms around the student's legs to prevent him from jumping. The student accused the teacher of sexual harassment. After intervention by the teacher's union, the complaint was recognized as motivated by homophobia and dismissed. None the less, the accusation resulted in the teacher's sexual orientation being questioned by students and staff.

A girls' sports team in a Toronto-area high school lost a very competent coach when the lesbian teacher did not feel safe due to the potential of stereotyped misunderstandings and charges of harassment.

In one school in southern Ontario, a lesbian teacher made a comment at a staff meeting. Two thirds of the staff yelled out, "Don't listen to her, she's a lesbian." The administrator did nothing.

In an Ontario Catholic school, a gay teacher came to work one morning to find his portable spray-painted with "Fag," "Gay" and "Faggot." His administrator felt it was not an issue until a parent called asking to know if the teacher really was gay. The administrator told the parent there was a misunderstanding and left it at that.

Unfortunately, gay, lesbian and bisexual teachers do not have recourse to some of the very basic mechanisms for stopping discrimination and harassment. For example:

Some people still argue that simply by being lesbian or gay, a teacher violates the Education Act's requirement



that teachers "inculcate by precept and example respect for religion and the principles of Judaeo-Christian morality"—subsection 264(1), duties of teachers.

Furthermore, when you look at the Ontario Human Rights Code, in subsection 19(2), it suggests that the Ontario Human Rights Code does not apply to the duties of teachers under the Education Act.

Lesbian, gay and bisexual students face similar difficulties due to prejudice, stereotyping and myths. Justifiable fear of verbal harassment, physical violence and ostracism take their toll. There is very often low self-esteem among lesbian, gay and bisexual children and adolescents. There are high rates of school dropout and alcohol and drug abuse among lesbian, gay and bisexual adolescents; this is from a study noted at the bottom. Up to 30% of youth suicides that are completed are believed to be accounted for by lesbian, gay and bisexual adolescents; that's from a United States Department of Health and Human Services report. Finally, a disproportionate number, 30% to 40%, of those living on the streets are lesbian, gay or bisexual.

When young lesbian, bisexual and gay students are asked, "What would be most helpful for you in your learning environment?" they most often state, "Positive role models," in the form of openly lesbian, gay or bisexual staff, yet as described above, the same myths and stereotypes affecting children and adolescents are the same forces that keep many lesbian, gay and bisexual teachers from being role models.

**Mr Pavelich:** Bill 31 and the Ontario College of Teachers: Within this context, Bill 31 will have a severe negative impact on our education system and the lesbian, gay and bisexual teachers and students within it.

First, Bill 31 will thwart the achievement of the Common Curriculum's desired outcomes. "Understanding diversity and valuing equity" are key goals of the education system, as described in Ontario's Common Curriculum. The Common Curriculum states:

"The intent of an inclusive curriculum is to ensure that all students—regardless of gender, racial and ethno-cultural background, social class, sexual orientation or ability—develop confidence and are motivated to succeed." Page 11.

"An important aim of the education system is to enable students to develop the knowledge, skills and values they will need to help build and preserve an equitable society.... Through working with people with other backgrounds, students can learn to understand others and to respect their views and rights and can thus develop a sense of social responsibility." That's right from the Common Curriculum.

Bill 31 will increase the reluctance and fear of teachers to discuss with students issues of lesbian and gay rights and realities. The education system will continue to allow all young people to grow up with little respect for the rights of lesbians and gay men. What will be the outcomes?

Young heterosexual people will continue to be responsible for the majority of violence against lesbians and gay men. The murder of Kenn Zeller, a staff member at a Toronto school, by five high school students in the 1980s remains a prominent example of what happens when

young people fail to "understand diversity and value equity."

At the same time, lesbian, gay and bisexual students will be denied the positive role models they need. The epidemic proportions of substance abuse, school dropout and suicide among lesbian, gay and bisexual adolescents will continue.

Second, Bill 31 will provide dangerous tools to facilitate witchhunts against lesbian and gay teachers. Bill 31, section 25, would allow anyone to launch complaints against teachers for unsubstantiated and perceived "professional misconduct or incompetence."

Subsection 25(2) states, "The investigation committee shall refuse to consider and investigate" complaints that are "frivolous, vexatious or an abuse of process" or unrelated to "professional misconduct or incompetence." The act does not define the critical terms "frivolous," "vexatious," "abuse of process," "professional misconduct" or "incompetence."

Today's reality is that some people believe that being lesbian or gay is sufficient grounds to dismiss or not hire a teacher. Bill 31 would allow such people to submit complaints to the college solely on the grounds of a teacher's sexual orientation. Without definitions for the above terms, the act provides investigation committees with no guidance on how to handle complaints on the grounds of a teacher's sexual orientation.

Third, Bill 31 will ensure youth will continue to be denied positive role models. Bill 31 will strengthen the forces that keep lesbian, bisexual and gay teachers in fear of discovery. It will deny lesbian, gay and bisexual youth positive role models. The opportunity will be lost to help reduce the rates of substance abuse, school dropout and suicide among lesbian, gay and bisexual youth.

**1710**

**Ms MacGyver:** The fourth area of our concern is that Bill 31 will abrogate basic rights to privacy. I believe yesterday you got a letter, dated March 26, from the privacy commissioner, Tom Wright, in which he addresses some of the concerns in section 44 of Bill 31. However, since he's still in negotiation with the minister and with the legal staff at the Ministry of Education and Training, it's pretty clear what he suggests on Bill 30, but it is not as clear in this letter what he's proposing on Bill 31. So I would like to highlight some of our concerns to you, even though Mr Wright has been to speak with you.

Bill 31, section 44, does override basic human rights guaranteed under section 38 and section 28 of the two provincial acts. In British Columbia, where they have a professional regulatory body for teachers, it is subject to protection of privacy legislation. There is a precedent within Canada for teachers having a professional college but still retaining their privacy rights. To our knowledge, it would also make the Ontario College of Teachers, if section 44 is left in, the only professional regulating body in Ontario to have the power to override the Freedom of Information and Protection of Privacy Act.

Furthermore, denying teachers basic rights to privacy is not necessary for such a college to be effective in carrying out its duties and functions. Overriding this legislation would allow the college to demand information completely unrelated to a teacher's professional conduct or competence. For example, it would allow the



college to collect and to use in a hearing information about a teacher's sexual orientation; a teacher's HIV status; a teacher's membership in community groups, such as a gay baseball league; a teacher's opinions on lesbian and gay rights; the views or opinions of others about the teacher—hearsay and gossip; and a teacher's financial transactions, such as a donation to a lesbian or gay charity.

All of this information is unrelated to a teacher's professional conduct or competence. It can reveal a teacher's sexual orientation. It can lead to discrimination, harassment and potential witchhunts.

It's important to note, especially if you listened to the last presenters, that a lot of the information related to my professional conduct and competence is already available to my school board, even with Freedom of Information and Protection of Privacy Act restrictions and provisions. CLGRO does not see any reason why the College of Teachers would require more information than school boards now need when faced with dealing with the competence of their staff.

The fifth point we would like to bring to your attention is that Bill 31 will deny teachers due process in the investigation committee to have complaints to be dismissed as frivolous, vexatious or an abuse of process or unrelated to professional misconduct or incompetence.

In section 1 of Bill 31, where the definitions are given, it does not define these critical terms: "frivolous," "vexatious," "abuse of process," "professional misconduct" or "incompetence." There are no definitions for that in the legislation. Therefore, teachers have no grounds for arguing that these complaints should be dismissed. It is unacceptable that any piece of legislation should establish a process with such little guidance.

**Mr Pavelich:** Our recommendations, other than getting rid of the bill completely, would be to:

First, define "professional misconduct" and "incompetence" to be independent of a teacher's sexual orientation and status related to other grounds of discrimination prohibited under the Ontario Human Rights Code.

Second, define as frivolous and vexatious any complaint against a teacher on the grounds of their sexual orientation and status related to the other grounds of discrimination prohibited under the Ontario Human Rights Code.

**Ms MacGyver:** Our third recommendation is to restore a teacher's democratic right to privacy by deleting in Bill 31 subsections 44(1), (5) and (6) and amending subsection 22(2), which deals with the register of the college, to allow public access to the college's register only to that non-personal information held by the college.

Fourth, we recommend that teachers' democratic rights to due process be restored by amending clause 25(2)(a) by defining "professional misconduct or incompetence" within the bill itself.

**Mr Pavelich:** Fifth, and lastly, amend the Ontario Human Rights Code to allow teachers the same non-discrimination and anti-harassment rights as all other people.

**Ms MacGyver:** Quickly, the three appendices:

Appendix 1 simply lists the members of the coalition.

Appendix 2 brings you the personal information designated under the Freedom of Information and Protec-

tion of Privacy Act—that's section 38 of that act—so that you can see what is now protected that could be taken away.

The third appendix is a letter of support from the Ontario Secondary School Teachers' Federation, the last paragraph of Mr Earl Manners's letter reading: "We are gratified to know that groups such as CLGRO are concerned enough about the contents of Bill 31 that you seek to make a presentation to the standing committee on social development." Mr Manners continues: "We would encourage you to take your concerns forward to the committee hearings and would request that you send us a copy of the brief which you present."

**Mrs Ecker:** Thank you very much for a presentation with some very excellent points in it. I can certainly appreciate your concern about the privacy and the issues that Mr Wright has raised and, as you noted, it is something that the minister is going to be, and the ministry is, dealing with to try and make sure that we have adequate protections in the legislation. I just wanted to clarify something.

I thought you said that you wanted only non-personal information on the public register, because it includes notations of disciplinary convictions, that kind of information. Would you consider that to be something that shouldn't be on the public register, because my understanding is one of the reasons that we wanted to have that kind of information on there was as a public protection if someone had actually gone through discipline and some serious step had been—they thought that it was necessary that that should be in the public record.

**Ms MacGyver:** That's on page 7 of our brief at the top. I think by "non-personal information" we meant the information protected in section 38 of the Freedom of Information and Protection of Privacy Act. In other words, that the private information which section 44 of Bill 31 seeks to cancel not be part of the information in the public register. If the college has access to things like medical history, psychological history, psychiatric history, financial records, which section 44 creates, that that not be the information held within the register.

**Mrs Ecker:** It wouldn't be. It was my understanding that there would be a protection on there, but I appreciate the concern.

**Ms MacGyver:** The bill itself doesn't say there's a protection.

**Mr Pavelich:** It doesn't.

**Mrs Ecker:** No. Okay. I appreciate the concern about that. The other quick question: I'm not a lawyer, but do you think you would have to take the human rights anti-discriminatory legislation and actually repeat it in this legislation? My understanding—again, I'm not a lawyer—is that those provisions apply regardless; they don't need to be written in the legislation because those apply anyway; that it would be, if you will, a legal redundancy, if I understand my law correctly.

**Mr Pavelich:** The problem exists in that the connection between the Ontario Human Rights Code and the Education Act is somewhat tenuous. The duties of teachers—there's an override provision, it says they override, and among those provisions are teaching Judaeo-Christian ethics, teaching purity. I mean, who's to define those, number one? Secondly, when CLGRO went

a few years ago to ask an opinion from the Ontario Human Rights Commission as to whether sexual orientation would be protected, the Human Rights Commission said, "We don't know." So there seems to be some tenuous link. Also, the provisions of protection for separate schools is not there, so teachers in the separate system could very easily be outed and dismissed holus-bolus and, like I say, in very much of a witchhunt manner.

**Mrs Ecker:** Is this something that people within the health field have experienced, because there are not these specific provisions in the Regulated Health Professions Act?

**Ms MacGyver:** Catholic teachers have a morality section in their contract that they sign with the separate school board.

**Mrs Ecker:** That would be it, yes.

**Ms MacGyver:** There has been a teacher released from her position in Ontario that went through the system, where she was released because she was married to a divorced man.

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**Mr Skarica:** I have two quick questions. Section 45 outlines basically that anyone who learns anything in the course of his or her duties in complying with the act or enforcing the act is to keep it secret. Why does that not address your concerns? Secondly, section 44 indicates that the college may require the provincial schools authority, the school board or anyone else to provide it with personal information. Do they now keep any information on sexual orientation? I would be surprised if they did.

**Ms MacGyver:** I don't believe they do now, because they have to comply with section 38 of the Freedom of Information and Protection of Privacy Act, but section 44 removes that protection. So then they could, and they would. As to your question—can you just repeat your first question again? It was about section 45?

**Mr Skarica:** Yes.

**Ms MacGyver:** It's the investigation committee that's in the earlier part of the bill. Once you get into the investigation and you get into the hearings, they are open to the media and they're open to the public, and so I don't see how you can keep your information that you've gathered confidential if you're going to have a hearing with the media and the public there.

**Mr Pavelich:** Or they can be.

**Ms MacGyver:** They can be. It says "may."

**Mr Newman:** On page 5 of your presentation it says, "Examples of information that Bill 31 allows the college to collect include: the teacher's sexual orientation; a teacher's HIV status; a teacher's membership in community groups, such as a gay baseball league; a teacher's opinions on lesbian and gay rights; the views or opinions of others about the teacher (gossip and hearsay evidence); and a teacher's financial transactions, such as a donation to a lesbian or gay charity."

I've read through the bill and I don't see it in those terms. What I see is as it relates to the member's professional responsibilities. Can you indicate where in the bill that—

**Ms MacGyver:** Yes, it's in subsection 44(6) of Bill 31 and subsection (5). In my copy of the bill it's on page 29.

Section 44 deals with the right to obtain information. Subsection (5) is the information provided by the minister to the college and subsection (6) is information provided by the college to the minister. It says in subsections (5) and (6), "If required by the college, the minister may provide to the college information, including personal information within the meaning of section 38 of the Freedom of Information and Protection of Privacy Act...." It's much the same wording in subsection (6).

So what that does is, all of the protections in section 38 of the Freedom of Information and Protection of Privacy Act which are listed here are null and void. So if you turn these protections around and treat them instead as investigative devices, then this is the kind of investigative device they could do within lesbian, gay and bisexual teachers' lives.

**Mr Agostino:** I want to thank the presenters for I think an excellent presentation, and clearly I think you outline some very serious and very legitimate concerns as to the loopholes that are in the bill. I do agree that the way the bill is put together right now, it does open up the real possibility of witchhunts, it opens up the real possibility of people using this bill as an opportunity to attack gay and lesbian teachers and as an opportunity to go down and try to in a sense make life miserable, harass and very clearly drive gay and lesbian teachers out of the profession. I think you have raised some very legitimate concerns that touch at the heart of what this bill's all about.

I guess one of the concerns is the powers that the investigators have and the fact, as is mentioned, that the investigators in a sense would have the power without warrant to go into a teacher's home to gather information, which then takes it beyond not only the realm of the classroom and the workplace, but they can actually search your home now to gather information about you as part of the investigation. Without the protection of section 38, the information that is gathered then becomes open-ended to the judgement of the person who is gathering that information, for whatever purpose that is.

Concerns are expressed along the lines as well as to what happens with that information. Even if it is gathered in confidence, even if it is agreed to be kept in confidence, the fact that it is gathered, the fact that it's collected as part of this process I think opens up the door to that being released, to that being leaked, to that being passed to other individuals, which then takes it out of that realm as well.

Do you have concerns as to that, not only the process for an investigator to come into your home and gather any information that he or she feels is appropriate, but also the possibility that once the information is gathered, recorded and collected, that there's a possibility of again it being leaked, being used for other purposes and obviously being used for witchhunt purposes against teachers?

**Mr Pavelich:** Exactly. The fact is that it's not defined what information will be kept on a register, so at this point in time that's so open that that information could be collected, gathered, put down on the register, and since the register is totally open to the public, they could pick it up, look at it, take it off and say: "Hey, guess what?"



We know this, this, this and this about that teacher." We feel that will really drive a lot of lesbian, gay and bisexual teachers out of the teaching profession.

**Mr Agostino:** With the powers of coming to your home to gather information.

**Mr Pavelich:** Yes.

**Mr Patten:** After having heard your representation, I think you do have a point under section 44. I believe the privacy commissioner acknowledged and he was indeed prepared to make a recommendation to the ministry, which we have not yet seen. My question to you: Have you shared your brief with the commissioner's office?

**Mr Pavelich:** At this point, no, but we intend to.

**Mr Patten:** Yes, may I recommend that, or on your behalf, may we submit this, in the light of your specific concern, to the commissioner's office for his consideration in coming up with the protections that I think you're trying to address?

**Mr Pavelich:** I think, yes.

**Mr Wildman:** Thank you for your presentation. Obviously you have a number of concerns but I guess your most important one is the right to the protection of privacy. Would it be acceptable, in your view, if there were the protections under section 44 that you've said are necessary, to members of the lesbian and gay communities who are in teaching to then proceed with the college, or are you opposed to the concept of the college as well as the particulars that you've raised?

**Mr Pavelich:** I think that CLGRO as a whole doesn't have an opinion one way or the other on that particular issue. I think as teachers there's another, but CLGRO as a whole—

**Mr Wildman:** Okay, that's fine. You emphasize in the initial part of your brief the need, from your standpoint, to have positive role models and you point to the Common Curriculum and what it says as well. Is there a problem for lesbian and gay teachers who are out as well in this legislation, as you see it, or is it those who are afraid of their privacy being invaded in such a way and that information being available to the public alone? Is there a problem in terms of the gay community as well for those who are already declared and their sexual orientation is not a matter of privacy as opposed to someone who is not out?

**Mr Pavelich:** I think there's sort of a dual thing there. I think there is some concern for those who are already out who may also have, for example, particularly if they're out—someone may come from the public to the school and say this is a lesbian or gay teacher and they can't uphold these provisions of the Education Act because they're lesbian or gay, that's totally inconsistent; take it to the college, put them through a whole process. Whether it's dismissed or not, you've had all the costs of going to the college and then in the end there's no recourse that the person has to the college to clear the record. This could probably go on their record. So there is grave concern there, but the concern for someone who is not particularly out is even doubled or quadrupled. It's just like a whole weight that suddenly comes upon them that makes them even wonder why they'd even attempt to go into the teaching profession.

**Mr Wildman:** But you're also saying that just by the very fact that someone has a sexual orientation that is not

heterosexual, that that might then, because of the way the bill is worded now, be something that might lead to a complaint that a person would then have to defend herself or himself against.

**Mr Pavelich:** That's right.

**Ms MacGyver:** And then you have to pay the costs of both sides after you've had your case dismissed, if there was a hearing; and you're suspended, if there's a hearing, during the course of the hearing, so you've lost the pay. 1730

**Mr Wildman:** So it's not a question of misconduct; it's just that if someone doesn't think your orientation is appropriate, they could lay a complaint and you might have these problems.

**Mr Pavelich:** That's right.

**Ms MacGyver:** The investigative committee also has the right to dismiss such a complaint as frivolous, vexatious or an abusive process, but those terms aren't defined in section 1 where it says "Definitions."

**Mr Wildman:** And you point out that they should be defined.

**Mr Pavelich:** Our recommendation is that those things should be defined, exclusive of sexual orientation, and also that there should be provisions in the Human Rights Code to allow non-discrimination around teachers but that anti-harassment provisions be put into the Human Rights Code, and therefore there's some recourse. If the act is made to supersede, then a lot of those concerns would be taken away.

**The Vice-Chair:** Thank you for your presentation. Your half-hour is completed now.

#### ONTARIO FEDERATION OF INDIAN FRIENDSHIP CENTRES

**The Vice-Chair:** Next I'd like to call on the Ontario Federation of Indian Friendship Centres, Sylvia Maracle, executive director, and Tim Thompson, the education policy analyst, if you'd like to come forward, please.

**Ms Sylvia Maracle:** I'm Sylvia Maracle. I'm the executive director of the Ontario Federation of Indian Friendship Centres.

**Mr Tim Thompson:** I'm Tim Thompson. I'm the education policy analyst with the Ontario Federation of Indian Friendship Centres.

**Ms Maracle:** We both have other names. Mine is Skonagelehira, but Visa won't take it, so it's unfortunate. But we have names we are known by, and my hat today is the federation. Thank you very much for encouraging us to come and see you. We found out yesterday, so hopefully we'll be fairly efficient.

For those of you who know about friendship centres, great. For those of you who don't, I want to take a couple of minutes to talk about the organization I work for and set some of the context for our remarks with respect to the Act to establish the Ontario College of Teachers.

Friendship centres have been around in Ontario since the late 1950s, early 1960s. They serve as a focal point for those of us who leave our first nations communities and come into urban areas and they provide a spectrum of services. Certainly they're a social safety net in terms of things like housing, employment, social assistance.



They are also cultural education centres. They provide us with an opportunity to go to meet our own people and to be able to share with the larger community who we are.

Friendship centres also are involved in the whole process not only of community development of the aboriginal community, encouraging the creation of institutions to meet our needs, but also of community development in the broad sense of dealing with the word that we'll call "mainstream" as opposed to "non-aboriginal" or "non-Indian."

The friendship centres are primary service providers not only to aboriginal people, not only to Indians, to Metis and to Inuit people in Ontario, but our services are consumed quite a lot by mainstream service providers, by schools in particular, which is why we're here to talk about it. We have a very long history in terms of addressing the educational needs of our students.

Remember, our students may come from first nations territories, because there are tuition agreements; our students may be multigenerational residents in terms of urban people—they may have been born and raised in the city—or they may be migrants from other provinces, other territories, or simply coming back and forth between their home territories and towns and villages throughout Ontario.

Probably one of the most frequent services we provide to the educational system is when we have students who are in crisis. A teacher or a principal may call the friendship centre and say, "We're having problems with so-and-so," or "We're having problems with a group of children." They may call the friendship centre and say: "We are about to deliver a native ancestry series or curriculum. Could you help us? Could you make it contemporary? Can we get away from just talking about toboggans, snowshoes and tepees?" We didn't bring any today, but we can offer a contemporary context for urban development.

The other primary role that friendship centres play is in cross-cultural sensitivity awareness. We are involved in educational institutions that are educating the future teachers of Ontario and we provide a number of community-based activities, powwow socials, elders' gatherings, ceremonies, traditional teachings, where people can come and learn about who we are. All of that wraps up into why we're here and why the College of Teachers and the legislation creating that may have impact on us.

One other significant element I want to talk about before I go into what we would like to see changed in the act is we have great numbers of dropouts, huge numbers. In communities where we're doing really well we can say, "Gee, only 30% of our students drop out." In communities where we're not doing very well it's as high as 90%. There are communities in this province—none of you represent them or I might pick on one or two of you—where we have never had an aboriginal student graduate from the high school in that community.

I need to tell you this because you need to understand that a primary motivator, the role model, the encouragement that young person is going to get, is often from a teacher or teachers, and if those teachers do not have any understanding of the cultural context we come from, of

the socioeconomic context, they may or may not be able to help. In some communities—and there are wonderful people out there—they have simply not been able to meet our needs.

As a response to that, the Ontario Federation of Indian Friendship Centres several years ago developed a pilot project with the Ministry of Education—now the Ministry of Education and Training—to look at putting secondary schools in our facilities, in the friendship centres. We have three: one in Sudbury, one in Fort Erie and one in London. Between those, we have several hundred aboriginal people who are now going to school.

This is an economic impact for those of you who are interested in fiscal realities, because you would be getting nothing for those people. Often they will be on social assistance. Now we have several hundred of them in secondary schools for which there is a tax base because we live off-reserve—so let's throw out the notion that aboriginal people don't contribute to the tax structure of this province—and we are having success in that we are having graduates. Our retention rate is averaging around 80% or 85% versus the dropout, the 70% in the best situation and the less than 10% in the worst situation, so we're not doing badly.

Part of our success is that we have taken teachers—some aboriginal teachers, some from mainstream—and we've gone through a process in the secondary schools of trying to educate, to train and to orient them to see aboriginal issues differently, to see the student they teach in terms of the pedagogy and in terms of what that young person brings into that environment differently and, as I said, we're having some success.

We're obviously interested in the legislation and what's going on because they are going to be regulating qualifications, and qualifications are clearly important to us in a community where we're not having success, issues around teaching credentials and who's going to do that, particularly the pre-service programs.

You have to understand that when we're talking about aboriginal issues we're not talking solely about our students. We are talking about your own children and the education they get about aboriginal people. We can have the opportunity in this legislation to say that we are going to correct some of the historical lies, inaccuracies, inequities that are created by the curriculum, the materials the teachers are given, and by the way we train them.

We know as well that the issues around establishing standards are going to have significant impact on us. No one, for instance, can teach our language but our language speakers. If I ask you all what my name means, it doesn't mean anything to you. It means, "She brings greetings from a special place," and the Mohawk elders, who gave me that name, are the ones who need to teach not only me in my language but other children to understand those sensitive issues.

The way the act is, it has the potential to ignore our elders, our traditional people, our medicine people and our language speakers because of qualifications which may or may not apply. You've got to understand there's been a systemic issue and we have not been on an even competitive ground the whole process, which is why we're not being successful in mainstream.

While I appreciate the people who spoke before, who are worried about some of the more technical aspects of the legislation, we're worried about the legislation in terms of educating teachers, in terms of issues around our standards of performance and our capacities in terms of the people who are learned, who are teachers in our community, and their recognition. So we have some recommendations for you.

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You should know that our recommendations come from the committee itself having suggested that the needs of teachers of aboriginal students have to be paid attention to. Certainly that's commendable on our part. What happened in terms of the consultations with the aboriginal community and how we suggested they were done simply have been left out of the process subsequent to saying: "Gee, we should do something about this. We should pay attention."

Our recommendations: You should know that we would have preferred that aboriginal issues be dealt with very distinctly. For instance, one of you raised the Regulated Health Professions Act. In the Regulated Health Professions Act traditional healers and aboriginal midwives are exempted and so aboriginal language teachers, aboriginal elders or traditional spiritual teachers also could be exempted from your legislation. You have a precedent, you have the capacity, you also have the power to simply ignore us again, and we recognize that.

However, we hope that you will be compelled that you want the truth taught, that you want Ontario to be a place where we can all participate, that that participation is not guaranteeing us a life where we cannot achieve success in an education system and have only the downside in terms of social welfare to look at.

Since that possibility is there, we are also interested in making sure that aboriginal people are directly involved in the design, the development, the delivery of training as it affects aboriginal people or as it affects people who will teach aboriginal students, meaning everyone.

We also want to make sure and we have recommended that an aboriginal teacher education governance committee be created and that that committee consist of representatives appointed by aboriginal organizations and aboriginal educators.

It is further recommended that the aboriginal teacher education governance committee have representation on the executive committee and the other standing committees being created by the college through the legislation.

It's finally recommended, as I suggested, that aboriginal teachers and aboriginal language teachers, traditional teachers and language teachers be exempted from the scope of the authorities of the college. As the matter now stands, the college can exclude our traditional teachers and language teachers from the classroom, and you'll have to admit that they're going to have a very difficult time teaching Ojibway or Cree or Mohawk or, for that matter, teaching about moccasins, toboggans and snowshoes.

None of our recommendations is new. They've been around for a long time. We have spoken not only to the people constructing the Ontario College of Teachers. In 1972 the National Indian Brotherhood created a policy

called Indian Control over Indian Education, and every subsequent study, released provincially or federally, has identified the need to look at aboriginal initiatives in education, teaching training being a priority and the recognition of our own resource people. We've raised them with the Teacher Education Council of Ontario, we've raised them with the Royal Commission on Learning and we raise them with you.

I look forward to any questions or the consideration you will give with respect to our recommendations.

**Mr Patten:** Skonagelehra, thank you very much for your presentation.

I found this presentation to be very succinct and to the point of what I'm sure you face every day.

I personally have had some connection with friendship centres. The former director, Peter Lee—I don't know if you know Peter—and I were very good friends. Of course the implications of what you're suggesting in terms of native students goes beyond the scope of this particular area. You suggested you've talked with a number of groups. Have you talked with some of the teacher federations in terms of their support of this?

**Ms Maracle:** We've done some work, yes, with some of the federations. Aboriginal issues tend to be sexy sometimes and people want to be on the bandwagon—it's a great thing to do—but, "Gee, we have other priorities, and we really need to worry about our own issues in terms of credentialling and whatever." Yes, we have talked to them, and in some instances, for instance, from the women's federation of teachers, we can point to numerous resolutions where they've supported the need to change education of teachers, the need to make sure that aboriginal issues in the classroom, either as resourced by those teachers or demonstrated, are addressed, but we haven't gone out of our way with respect to this legislation to say, "We need all these amendments." We probably could point to other forums where we've had those conversations and bring them forward, if you wanted.

**Mr Patten:** Personally, I support your recommendation. I think it's a good one. I'm sure you can point to other areas, non-educational areas, where your community, in having been able to assume full responsibilities for the leadership, has almost instantaneously done away with some of what I call social schizophrenia that often takes place on reserve or with native people, especially young native people, in terms of their allegiance, their values, their future, their relationship historically. I, for one, think this is a very good one, and it is also, for this committee, a very specific way of acknowledging the position of first peoples.

**Ms Maracle:** Thank you.

**Mr Miclash:** I'm familiar with the work done by your friendship centres. As you may know, I represent a fairly large native population in the riding of Kenora. I know about your students in crisis and your involvement in the schools, and I'm certainly aware of the dropout rate throughout some of the communities in northwestern Ontario.

When it comes to the selection process of people you would see acting on your behalf, how would you go about that?



**Ms Maracle:** We would certainly have a conversation with the leadership in terms of what are called the aboriginal provincial territorial organizations in Ontario: Grand Council Treaty 3, Nishnawbe-Aski Nation, the Union of Ontario Indians, the Association of Iroquois and Allied Indians, Metis Nation of Ontario, Ontario Metis and Aboriginal Association, Ontario Native Women's Association, and our own, and the independents. I think we have both the history and the constructs to look at teacher training, to look at the issues, to make sure, for instance, if one proceeded with an aboriginal teacher education governance committee, we could do that.

We also have an opportunity through the Aboriginal Education Council, where we already work, where we've already done papers with respect to teachers, to continue that process. I don't think it would be difficult. We certainly have teachers, resource people, educators among our own population as well, and they would certainly be high on our list of people who might be selected to be involved in the process.

**Mr Miclash:** Thank you for the presentation.

**Mr Wildman:** I'll say meegwetch in Ojibway. I think this is a very major issue. As you say, sometimes they're sexy and sometimes they become a little passé.

As a very young teacher, about 30 years ago, I was faced in my classroom, as were other people in the secondary school where I was teaching, with a significant minority of aboriginal adolescents from the far north, as well as aboriginal adolescents from adjacent reserves and the urban community where we were teaching.

I found, particularly with those from the far north, although there were difficulties with the others as well, that these students found themselves in some sort of no-man's land, or no-person's land; that they came to live in an urban centre and learned, I guess, although they didn't participate very much in class, and then went home and found they had very little in common with their families and the far northern communities they had come from. Inevitably, particularly among the boys, but also the girls to a lesser extent, they didn't last very long, and they left.

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In the 30 or so years since, not much has changed. As a teacher, I wasn't given any training by anybody in how to try to reach out to those students, more than I was trying to reach out to all my students, so I have some sympathy with your proposals.

There was a question about the federations. Have you had any discussions with the implementation committee of the College of Teachers and/or the Ministry of Education and Training officials about your concerns about standards and the training of teachers in cross-cultural issues as well as curriculum and how to deal with, and serve better, aboriginal students?

**Mr Thompson:** Back about 3 years ago or 4 years ago, the ministry invited us to participate in an aboriginal teacher education work group. Essentially, it arose out of the recommendations of a group called the Teacher Education Council of Ontario. It was a forum where all our organizations worked together to try to address the issues affecting aboriginal teacher education. Those issues were raised, working documents were prepared, but the process was brought to an end without any conclusion or action on the recommendations.

**Ms Maracle:** We have met with the implementation team in terms of the college and received several responses. One is that they're going to be bound by legislation, which is why we think there need to be aboriginal references in the legislation. Second: "We'll get to you. We have a multitude of priorities. We want to be sensitive; however, you're not our biggest priority right now."

It's the usual process, and that process is what's resulted in the fact that anywhere from 30% to 90% of our students are not successful going through a process. Teacher education, but also the governance structures and making sure that people can see that aboriginal people are involved, are fundamental to changing that tide and equally to changing our community so that we can be educated, can live in home communities or in urban areas, and that that's recognized. I don't believe it is now.

**Mr Wildman:** In Sault Ste Marie there are, in both the public and separate systems, aboriginal language classrooms, Ojibway classes, taught by aboriginal people who are not holders of teaching certificates. They are holders of a different kind of teaching certificate, I guess, in terms of their traditional culture. I think your suggestion about some reference to an exemption or something that would ensure that those kinds of classes might not be jeopardized by this legislation is very important. I appreciate the presentation.

**Mr Newman:** Welcome, Tim and Sylvia, to the committee.

Page 2 of the brief states: "Our experience as aboriginal people in provincial schools demonstrates that there is a need for all teachers to be aware of aboriginal cultures and issues, not only for the benefit of aboriginal students but for the benefit of the Ontario population as well. This does not currently occur on a systemic basis. The Ontario College of Teachers provides an opportunity to ensure that all teachers are required to have training in aboriginal cultural sensitivity/awareness." Do you feel that Bill 31, in its present form, paragraph 3(1)6, where it talks about providing ongoing education to the college, handles your concerns?

**Ms Maracle:** No. It's too generic. Unfortunately, if you do not mention aboriginal people as one would mention the francophones or as one would mention special needs, we simply get left off the list. It's too generic, and because there are no references to the aboriginal community, to our standards and to our relationship, we will be at the very best an afterthought. And we're coming here to say we don't want to be an afterthought; we want to be mentioned in this legislation, even, as the minimum, to exempt our credentialed educators, meaning our language teachers, our traditional teachers. We would prefer there to be some very specific references, the creation of a change in the governance structure to recognize us, and certainly recognition in the legislation that aboriginal education for teachers and aboriginal teachers may require different developments.

**Mr Skarica:** The implementation committee report indicates that on the governance structure they're recommending the appointment of one aboriginal community representative nominated by the Aboriginal Education



Council. That's one of the 31 that's ensured. Would that give you adequate representation?

**Ms Maracle:** No. That's tokenism. We went to them and said, "We're prepared to negotiate." We would prefer four out of 31, but we would have taken two. There are very distinct issues between north and south in our community, very distinct, and that super Indian teacher from Ontario you can find who represents all that—please identify them to us, because we have 25 or 30 jobs for them in terms of policy development. From our perspective, it really is tokenism.

**Mr Skarica:** You mention the differences between north and south. I'm sorry; maybe, just to help me out, you could elaborate.

**Ms Maracle:** There are education issues and tuition agreements, for instance, in very northern communities where our children are flown out to go to publicly funded education institutions. Those children are coming out perhaps without language backgrounds, perhaps from a family without literacy issues. They don't even have urban life skills: They don't know how to cross the road and catch the bus. That's versus, perhaps, the population in the south, who are much more interested and zealous in terms of maintaining their culture and finding out the truth about who they are than basic urban life skills. Those are two very extreme examples, and I don't want to generalize too much.

There are more issues with respect to language education, particularly in languages, for instance, that don't have a written form or we're at risk of losing because there are so few speakers left.

Other people will come to you—in fact, I may come to you with a different hat and talk to you very specifically about what this is going to do about first nations schools

where you're proposing to regulate teachers as well. That's a big issue nobody has considered, both in terms of fiduciary responsibilities—your agreement with the federal government around the provision—and how you're going to apply those standards through this legislation on a reserve.

There are a number of issues where people will say, "They're too difficult, so we're just to be silent on the matter." That one person out of 31 votes may, if we find the right person, be able to raise the issues. I'm not convinced the response will be there or that the resources will be allocated the way we should to look at creating a level playing field.

**Mr Wildman:** Could I help with that, Mr Chairman? As a matter of interest, in terms of students from the far north coming even to Sault Ste Marie, the Batchewana First Nation has set up a program for helping far northern students from Oji-Cree communities gain urban life skills in Sault Ste Marie. They suggested it might be a good idea to fly the teachers teaching the students to the reserve in the north for a couple of weeks to give them some life skills, but that never actually happened.

**Ms Maracle:** You could say the same thing for the Sudbury teachers to Manitoulin Island. We did say it for the London teachers to Oneida or Chippewa. I mean, it is a very different world, and I'm not convinced one person can adequately represent that and that they're going to be considered.

**The Vice-Chair:** Thank you very much for your presentation and thanks for coming to the committee.

That's the last delegation. We'll adjourn until 10 o'clock tomorrow morning.

*The committee adjourned at 1800.*

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### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

Miclash, Frank (Kenora L) for Mr Gravelle

Ross, Lillian (Hamilton West PC) for Mrs Johns

Skarica, Toni (Wentworth North PC) for Mr Jordan

Froese, Tom (St Catharines-Brock PC) for Mr Preston

**Clerk / Greffière:** Lynn Mellor

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 17 April 1996

# Journal des débats (Hansard)

Mercredi 17 avril 1996



## Standing committee on social development

## Comité permanent des affaires sociales

Education Quality and  
Accountability Office Act, 1995

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Ontario College of Teachers Act, 1995

Loi de 1995 sur l'Ordre  
des enseignantes et des enseignants  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Wednesday 17 April 1996

*The committee met at 1004 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

ONTARIO COLLEGE OF TEACHERS  
IMPLEMENTATION COMMITTEE

**The Vice-Chair (Mr John Gerretsen):** Good morning, everyone. Is Mr Frank Clifford here, the chair of the Ontario College of Teachers Implementation Committee? Welcome, sir. You have 30 minutes for your presentation, and that includes any questions and answers there may be from the members of the different caucuses. If you could introduce yourself, we look forward to your presentation.

**Mr Frank Clifford:** I had the privilege of chairing the implementation committee. It's produced the report, The Privilege of Professionalism, upon which the bill you are debating and studying is based. My remarks this morning are based on the report and I trust your questions will be based on the report as well, because that's the part I was involved with.

I'm here representing the members of the Ontario College of Teachers Implementation Committee, and those members are listed in your package. The committee had 12 members and, over a period of eight months met several times, met also with 70 different groups representing as broad a spectrum of educational interests as you could think of, and presented its report on time—I'd like to stress that—on October 1, 1995, and then was disbanded.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mercredi 17 avril 1996

As members, you received that report that day, October 1. With respect, I take for granted that you've read the report and you know the contents of the report, because the legislation which you are debating is based on the contents of that report.

What I would like to do, rather than give a synopsis of the report, is to take one particular area, an area upon which the committee based and made its basic premise, and then to follow through the implications of that into the recommendations and into the bill. There are four basic positions I'd like to outline for you that the committee took in its deliberations.

The first was that the College of Teachers would be a self-regulatory body and not an agency of government. That's of interest to me particularly and personally because for three years I had the privilege of chairing the Teacher Education Council of Ontario, and that was an agent of government. It and the experiences we had there led to some of my thinking, at least as I came to this first one, that the college itself should be a self-regulatory body.

The second was that membership in the College of Teachers would be mandatory for any position which required an Ontario teacher's certificate. I trust and I hope, as we debate this morning and discuss with each other, that you'll realize this means more than just classroom teaching experience. When I served as a director of education in Ontario, it was required that I have a teaching certificate. I personally would feel very badly if it wasn't considered that in that particular position I was eligible for membership in the college.

The third is that the college activities would primarily focus on the certificate or the licence to teach. That's what I'm here to talk about this morning.

The fourth is that the college's activities would apply to all those who hold membership in the college.

I'd like to talk about the certificate, the licence to teach, not what the person who has a certificate or who has a licence to teach does with it, not where they go to enter into a contract or an appointment, but the right to teach. Because, you see, if you focus on the certificate, then you allow the creditable and respected role of the Ontario Teachers' Federation to work for and to protect its members as it applies to the contract that those who hold the certificate enter into. That's quite different, by the way, from the last major thrust towards a college in this province, in 1983, when one of the objects of that particular college that was suggested was to do away with the teachers' federation. That's why I'm talking about the college and the professional nature of the college as it applies to the certificate.

The certificate then leads to four of the main clusters of recommendations in the report: (1) how you acquire the certificate; (2) how you maintain the certificate; (3) how you lose the certificate; (4) keeping up-to-date statistical records regarding the certificate holders.

A major element in this report is the pre-service or the preparation stage of obtaining a certificate in the province of Ontario. The report recommends that the length of that pre-service period be determined by the profession itself. It's within the last two or three years that two of the faculties of education in the province were proceeding towards a two-year program, as under the present circumstances they have a right to do. That would have left two colleges requiring two years. It would have left other faculties with two, three, one, whatever it might be. This report suggests that the determination of the length of the preparation to obtain the certificate should be part of the college's mandate.

1010

Second, the programs offered by faculties should be monitored and accredited by the college. To one who has had experience and a lot of years in teacher education, the support we received from the faculties of education and the deans of the faculties of education was overwhelming in this one. It's a big step to accept that on the part of an autonomous body such as a university. It's been 11 years, by the way, since there has been an external monitoring of any faculty of education in this province, and to move into a situation where the graduates and the certificate would be accredited by the college is a big step.

Third, the certificate would be awarded by the college. For all the certificates that have been issued in this province since 1944, they have always been issued by a Minister of Education, and this one suggests that it should be administered by the college.

Maintaining the certificate: The report requires that an ongoing program of professional development be a mandatory requirement for the members of the college. All the colleges established in Ontario under the Regulated Health Professions Act are required to have, or may include, mandatory continuing education by 1996. The British Columbia college, which you talked to yesterday, and which we had several conversations with during the time of our study, had a professional requirement for development, an ongoing plan at the beginning. That is no longer part of their mandate. The Scottish governing council, now in its 27th year, and which some of us visited as far back as 11 or 12 years ago, is now in the process of establishing a professional development plan. That's a big part of this particular proposal.

The report suggests, in regard to losing the certificate, that a discipline committee be established to conduct hearings into allegations of professional misconduct, incompetence or the fitness to practise. Cases for this committee would come from an investigation committee which would study complaints referred by government ministries, school boards, individuals or the registrar of the college.

I expect that you have already been briefed by or will be briefed by the drafters of the legislation who took that recommendation and turned it into the parts of the bill which talk about discipline and investigation.

Finally, maintaining records of certificate holders: At the present time, the name of every person receiving a certificate since 1944 in the province of Ontario is known. I don't mean this next remark to be crude and I would like to make very sure it's understood that way. The only thing is that when you go to those records, no one knows who is dead or who is alive, and the need to cry out for a system of records in which we would have that information is very, very powerful.

There are in Ontario at the present time no up-to-date statistics regarding supply and demand; and add distribution to that, who wants to teach not just in downtown Toronto, but in the places where there are needs. In this time of downsizing of educational complements, we continue to graduate approximately 5,000 graduates from our teacher faculties each year. Many of those are graduating into unemployment. An up-to-date record system and a reliable prediction of supply and demand needs would be a priority challenge for a new college.

Before concluding my remarks, I would like to speak to the area of the report which, from my reading at least, has received the most attention, and that's to the governing council. That was a large part of the debate of the committee itself. Every delegation we met, very interestingly and very naturally, wanted representation on that council until you could see renting a hall to hold the meetings of that particular council.

Let me go back. I've been talking about those who hold the certificates, not those who hold contracts which the certificates allow you to enter into. As such, the 17 members elected to the governing council do represent a majority of the members of the college. The royal commission report said professional educators—I'm underlining the word "educators"—should form a majority of the membership of any governing council. The committee's report meets that mandate.

The committee and I personally respect the role and the influence of classroom teacher representatives, but the committee did not overlook certificate holders who are in supervisory positions, who work in government ministries, who teach in faculties of education, who take their certificates and choose to teach in aboriginal or private schools.

The Ontario Teachers' Federation has approximately 130,000 members. The committee believes that any college that's formed in Ontario under its recommendations will have a membership approaching 200,000 members. That's a difference of 70,000 when you talk certificate holders or classroom teachers and members of the federations. Obviously, this particular recommendation will continue to receive attention and your discussion.

May I just in closing suggest to you that the 17 members represent not only a majority of those who would be qualified and mandated for membership, but they also acknowledge linguistic influences, geographical influences, and public and separate realities. To make simple numerical adjustments would not only disregard the underlying basis for the committee's report but would challenge the sometimes fragile balance upon which the proposal is made.

Your questions.



**The Vice-Chair:** Thank you very much, Mr Clifford. We have 15 minutes left for questioning, five minutes per caucus. We'll start today with the NDP.

**Mr Bud Wildman (Algoma):** Thank you very much. I'm sorry I was late in arriving. We had, as you are probably aware, a presentation, a discussion with officials of the BC college by electronic hookup. They made a number of assertions about how their college operates that raise some questions about the proposal before us. For instance, I think they said they had 20 members on their board, five of whom were appointed, and the 15 were elected from the teaching profession. So there's a clear majority of teachers.

Could you clarify why, in the setting up of this self-regulatory body, the implementation committee has proposed 31 members, 17 of whom would be from the teaching profession?

**Mr Clifford:** Seventeen of whom would be elected and 14 of whom would be appointed. I'll give you two reasons the committee came to this recommendation. The first is basically what I have said in this whole presentation this morning, that the 17 do represent people who hold licence to teach in Ontario.

**Mr Wildman:** I'm not questioning that. I know the federation's positions it's taken with regard to them. Why so many other members from the public?

**Mr Clifford:** I thought, for instance, when this report was tabled there would be more discussion on that part, not whether there would be a clear majority of classroom teachers etc. That particular number is based strictly on the committee's debates and decisions about public accountability. I'll tell you, as one of long standing with a teaching certificate and very proud of the profession, I think it's time we put right out in front all the things the profession does. By doing so and having these members appointed to the college governing body, I think it opens up the process. It opens up the process of professional development.

You hear, by the way, of teachers—you know, 10-month positions etc. You don't hear how many people are taking all these things we're recommending at present. The committee thought that with this number of people in the various appointments made to the committee, this would open it up, and the discipline process, by the way, would be opened up as well.

**Mr Wildman:** Do you think there would be a problem if the numbers of the general public on the board were diminished or made smaller?

**Mr Clifford:** I don't think there would be a problem if they were diminished or made smaller; it would be what you would do with the others. As I mentioned, those 17 represent geography, represent public, separate, French etc. I'm more concerned that the particular relationship between the elected members and the total number be maintained than I am about 31 or 32 or 33.

**Mr Wildman:** I was thinking perhaps 25, but anyway—the BC group also raised some other questions with regard to discipline and their functions there. Before I raise that, a number of the delegations that have come before this committee so far have suggested that with regard to questions of incapacity or fitness to practise or incompetence as opposed to misconduct, there should be

a separate committee to deal with that rather than a discipline committee, that if someone is suffering from an illness or some kind of condition that makes an individual incapable, this should not be a matter subject to discipline but rather some other process.

**Mr Clifford:** I wouldn't have any hangup about that. If you went back in the history of Ontario, I think there's one case where a person who was blind with a teaching certificate did teach in Ontario and then had that position cancelled.

**Mr Wildman:** That was in my riding, as a matter of fact.

**Mr Clifford:** Then there are two, because I was thinking of another. I'm not hung up on whether that's called discipline or something else. I'm hung up on dignity and fairness and process, as that would go.

1020

**Mr Wildman:** The BC college indicated that in matters of misconduct, alleged misconduct, the boards, as employers, dealt with the issues, and of course the teacher would have access to a grievance procedure, if required, and so on. It was only after that whole process was complete—unless it related to a criminal investigation or a criminal conviction; separate from that. The college didn't become involved until after that process in determining whether the certificate should be lifted if the matter was such that that kind of action would be warranted. Do you have any problem with that process, or do you think there should be the possibility of the college carrying out investigations prior to or simultaneous to actions being taken by boards?

**Mr Clifford:** Let me go back again to my basic presentation. The report of this committee is based on the continuing investigation by boards, by employers, by protection of collective agreements etc, as long as it applies to the contract. When it applies to the certificate, I believe the college has a role and should have a role, not to just wait until some other process has reached a certain point.

I had time as a senior person in one of the ministries represented around here, and I used to be the one who would run it up the street on Monday mornings to the teachers' federation and say, "Would you please give us back some recommendations regarding this particular occurrence that has come in," requests for a board not to terminate the contract but to remove the certificate. That's why I would like to keep going back to the certificate and the contract.

**The Vice-Chair:** We'll move to questions from the government side.

**Mr Trevor Pettit (Hamilton Mountain):** Thank you, Mr Clifford, for that most informative presentation. I understand that previously you were involved with the Teacher Education Council of Ontario. Is that correct?

**Mr Clifford:** Yes.

**Mr Pettit:** Based on your experience with that body, do you feel the creation of the College of Teachers will be a more effective body than the Teacher Education Council, and if so, could you please tell us why?

**Mr Clifford:** First of all, we did a provincial review of teacher education in the province in 1986. I had the privilege to chair that review. Out of that review came

the recommendation for a central body, and that was the beginning of the Teacher Education Council of Ontario. We brought around our table at the Teacher Education Council of Ontario 16 different members, and they represented universities, unions, all the various groups you would want around that table. In the three years of existence of the council, my belief was that we did some good things.

In answer to why I think it should be taken a step further—there are probably some deans sitting behind me this morning—we worked closely together, but when it came time to implement something, it was, “Would you please?” and “Would you please?” often did not get translated into the things that needed to happen. Therefore, when the Teacher Education Council went into its sunset lot, it was for the reason that we need to take the good study and the good work that’s being done but we need to have a mechanism which says, “Do something about it.” The accreditation of programs by faculties and by in-service type stuff is the first reason I believe we should have the kind of recommendations here.

**Mr Jack Carroll (Chatham-Kent):** The teachers I’ve talked to tell me they have no problem with the function of the college. They argue about the form, and they make the argument that the OTF should be the organization, is the organization, and with a small change in legislation could handle the function. From your experience, can you tell me in easy-to-understand terms why the OTF is so strident in that position and why you believe that is the wrong position?

**Mr Clifford:** I’ll answer the second part. I won’t accept or speak to why they’re so strident in their position because I, in many ways, respect the work of the Ontario Teachers’ Federation and I have the honour of being a fellow of the Ontario Teachers’ Federation. I’d rather go to what I know.

If I were still active in education, if I were a director of education, I personally would resent, and that’s a pretty strong word, the fact that I wouldn’t have membership in this college if I were not a member of the Ontario Teachers’ Federation; that when it came to setting standards for the profession, my view and the view of my fellow supervisory officers or the people in faculties of education or in the private schools—I believe it’s 200,000 we’re talking about, not 130,000. One of the most interesting experiences for me in the eight months—and it’s nice at my age and stage to have new experiences—was to meet with the people in the private schools, 80% of whom hold qualifications to teach in Ontario, and they were asking not for dilution of the teacher federation rights but that they had some group to come to and have some influence on the profession.

In answer to your question, to summarize, and you asked for simple language, I’d try to respect the role the teachers’ federation is playing, its important role, but I believe there’s another group out there that these recommendations apply to.

**Mrs Janet Ecker (Durham West):** I can appreciate the concern around membership on the council. The percentage between public and teachers—I know that was an issue that provoked a lot of controversy under the Regulated Health Professions Act. The previous government

was very strong that the public percentage must be 47%, 48%, 49% in some cases. Are we still, in your view, in that kind of ballpark, or did you give some consideration about—

**Mr Clifford:** That goes back to the question Mr Wildman asked me. I’m more concerned about the elected number than I am about the total number or the relationship between the appointed and the total. You’re going to have come before you almost every group that wants representation on that council. I think you have to decide, as you look at it. I guess my biggest thing is not to go beyond total 31, from the point of view of manageable numbers. How you take those 14 or whatever you end up with, I believe that’s where you have flexibility to work.

**Mrs Ecker:** Is there any room to perhaps have other interests represented within the college structure—because you’re right, a lot of people feel they do need to be represented—by having additional members on some of the committees? That’s something some of the other colleges under RHPA have done to answer these concerns. Is there any room there?

**Mr Clifford:** No hangup from my point of view on that. When you talk about, for example, discipline committee and investigation committee, you will note it calls for a majority of elected members on those committees, and I would hold to that.

We had a lot of delegations, for example, the early childhood educators, who wanted some kind of associate membership. I understood; particularly under the particular times I understand what they were talking about. We have people in the faculties of education who have all kinds of academic qualifications who do not have teaching certificates who are looking for associate-type—we’ve left all that to the governing council when it gets set up.

**Mr Toni Skarica (Wentworth North):** The major criticism we’ve heard from the federations is that they’re not self-governed, that 14 of the 31 are classroom teachers, that 14 of the 17 elected people are classroom teachers, so they’re not self-governed. How do you respond to that criticism?

**Mr Clifford:** I’ve stressed from the beginning that the 17 who are elected to that council are certificate holders. I’m not trying to say, “The federation should this,” or “The federation should that.” I’m saying that from our mandate, it was that the majority of the governing council be certificate holders, and that is what this report has brought in.

1030

**The Vice-Chair:** We’ll move to the official opposition.

**Mr Richard Patten (Ottawa Centre):** It’s good to see you, Mr Clifford. Pardon my cold. Let me continue along because, as Mr Skarica said, I think most representations have had to do with the concept of representation. I would use it as an example to make a distinction between a practising professional and a professional with the accreditation, the certificate, the licence, whatever it is. I suppose that’s what the teachers seem to be saying. It’s hard not to respond to that, especially when you look at how they feel about this, that they feel this is not bad, especially seeing as one of my colleagues from another party suggested that the reason this balance is so tenuous, so tight, is because of the worry of the influence of the



federations in terms of the selection in the representation on the council, which I don't share, by the way; I must tell you that.

I would not agree with those who say that the private school teacher should not have representation. I do. They play a role. People who are big supporters of public education may not like that, but the fact is they educate a lot of people; they have a lot to offer; they must be learning things in the private school sector that could add and contribute. That I have no trouble with, but I do with the other two.

I'm a ski instructor, obviously not full-time. I only taught one lesson this year, one day. If I don't teach skiing, I can get away with it for one year, but if I didn't teach next year I would lose my accreditation. I would lose my membership as a ski instructor in the Ski Instructors' Alliance.

I think there is the premise, which I do appreciate and I respect, as you have proposed it, but I would pass on to you the challenge that practising teachers express and have dug in their heels around, that it means you are actually an active member of your profession in a teaching position. You've expressed your view on that, but it seems to me that is such a red flag for the profession that if that door were opened up somewhat, I believe some of the other issues would be perceived in a different light because at least they would feel they would be in a majority position. Do you have any further comments on that?

**Mr Clifford:** Let me ask you a question first, if I may. I guess that's within the rules.

**The Vice-Chair:** Sure.

**Mr Clifford:** Where do you classify principals of schools in your thinking?

**Mr Patten:** Do I classify them as teachers? No.

**Mr Clifford:** Then we have a difference that is greater than I thought in the beginning. They're front line. They're in schools. They must have a teaching certificate to hold that position. I realize directors of education seem vague and far off etc, but if you bring it down to the principal rank, I think that's the point where your discussion could continue, on whether they are or are not front-line people in the profession.

**Mr Patten:** I don't know if you had an opportunity to hear some of the representations that have been made, but I was particularly impressed last evening with the native educational council. I thought they made a convincing argument to me on their representation. As you say, every group that comes forward believes that—

**Mr Clifford:** No, I understand.

**Mr Patten:** —they can justify representation, but in the case of first nations representation on here, one of the arguments they made was it would be very difficult to have one representative represent the aboriginal communities of the north, which are decidedly different—have different kinds of needs, different kinds of educational contexts—versus aboriginals who live in the urban situation etc. They made I suppose a number of points, but two in particular. One was that if you had two representing a northern and an urbanized aboriginal educational context, that would be of value; and two, they

suggested a committee that would really deal with their own particular cultural context. Would you have any response to that?

**Mr Clifford:** We met with the same person who I understand presented to you, and I have met with that person over the years. I would hold to the one representative on the governing council and I would support the formation of a committee. I think that's logical and valid.

**The Vice-Chair:** Thank you very much, Mr Clifford, for your presentation.

**Mr Wildman:** Just for the record, I would point out that, in our view, a principal is a principal teacher.

**Mr Clifford:** I'll leave.

**The Vice-Chair:** Thank you.

**Mrs Ecker:** Another simple issue.

**The Vice-Chair:** You've certainly stimulated our thinking early this morning.

#### ONTARIO ASSOCIATION OF DEANS OF EDUCATION

**The Vice-Chair:** I would next call upon the Ontario Association of Deans of Education, Dr Terrance Boak, the past chair and the dean of the faculty of education of Brock University and Dr Stan Shapson, who's the chair and the dean of the faculty of education at York University. Welcome.

**Dr Terrance Boak:** Good morning. I'm Terry Boak. Stan Shapson had to leave because he has another appointment and he saw we were running a bit late, so he will return in a few moments. He was going to make the opening comments this morning.

I believe you have received our brief comments.

**The Vice-Chair:** Yes, we have, sir.

**Dr Boak:** I might say while we're waiting for Stan that the Ontario Association of Deans of Education is a body that represents the 10 faculties of education in the province of Ontario. There are eight faculties which are anglophone and two faculties—well, one faculty which is predominantly francophone and that's in Laurentian; and there's Ottawa which has both anglophone and francophone students in the faculty.

Dr Pierre Calvé was going to join us this morning from Ottawa but because of the change in time he was unavailable to be here with us.

I might also state that we've had several discussions around the table and one of the things I think you need to know is that there's unanimous support from the 10 faculties of education in this province for the formation of the College of Teachers. We feel it is the right direction. We feel it is necessary to form a body of this nature which will, in our mind, truly be a self-governing body for the teachers in this province.

I see Stan has just arrived. This is Stan Shapson, dean of the faculty of education at York University. Stan, I've just introduced basically what the Ontario Association of Deans of Education is and maybe you want to pick up from there with your opening comments.

**Dr Stan Shapson:** Very simply we are strongly in support of the formation of Bill 31 and the formation of the college. We think the professionalism of teachers will be enhanced by this bill. We think that serves the stu-



dents in Ontario very well. We also think that by doing so, it will enhance the programs we offer in the faculties of education.

Our perspective is that teacher education has probably been somewhat neglected in the province. It seems to be an aftermath of important policy decisions and it's only at the end of important policy decisions that people come to faculties of education and say, "Hey, this has implications for teacher education." We feel that by being represented around the governing council, we will work well with teachers to enhance the professionalism, thereby standards, and thereby the programs offered by faculties of education.

We feel, as well, in our analysis that, given these objectives of ours, the legislation before you is basically enabling. Certainly we would love to have more members around the governing council, but we're not going to ask for that. We feel there are other provisions that were represented. We understand that teachers have to be represented and other community groups, so we're not asking for more representation. We feel by being around the table, by having functional committees where in certain areas such as accreditation we have the opportunity to be more represented and to have ongoing contact with the college, that the partnership in teacher education, which is so important, will actually be enhanced by the provision of this bill.

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Terry, why don't I turn it over to you for a couple of comments about the brief and then I think we'll take time to answer your questions.

**Dr Boak:** Let me just elaborate a little bit on one of the points Stan made about faculties of education and their perception in the community and how the College of Teachers and the legislation proposed can enhance what we feel is our responsibility and role in the whole profession of teaching.

Despite our best efforts in the faculties of education in Ontario over the past dozen years or so to inform the public, to inform the teaching profession of changes that we are making in our faculty, how we are modifying and enhancing admission standards to give representation to a multiplicity of groups within this province, how we are not only admitting students to our faculties who are academically strong but have as well strong experiences within similar or related professions; despite the changes that we've made in terms of the nature of our research and working with schools and the partnerships that have evolved; despite our continuing work of our faculty members in schools working alongside teachers, teaching with teachers in schools and employing many people in the teaching profession, often seconding them from boards to work with our faculties, this message has been really difficult to get to the community. We still often hear faculties of education are rooted in the 1960s; they have not changed, they have not modified anything. That is indeed not the case.

The College of Teachers and the legislation we see here and the fact that we will be members of the College of Teachers, that the 90% of over 1,000 professors of education in this province who are certified in this province will be members of this college and therefore

have a voice, we see then that the College of Teachers, because of that, will give us an opportunity to truly communicate with teachers and with the community at large about our responsibilities, our role for educating the young people and the older ones, the adults in this province, appropriately and with relevant educational experiences. That's one point I wanted to make. We see that the legislation proposed really does provide that opportunity.

We see the opportunity through the legislation and the formation of the college to really unify the profession. We think of ourselves as part of the teaching profession, not outside the teaching profession. Yes, we are part of a university environment as well and in that university environment there are expectations of our faculty for conducting scholarly work and doing research, but for the most part in our faculties the kind of research we are involved with is research on either teacher education or on teaching.

We see ourselves very much a part of the teaching profession, but with the current structure, we are really at the fringe of that. We are not eligible for membership in the union—we are outside that—but we do see with this, the legislation proposed, being truly a part of the profession of teaching similar to other professional bodies you are aware of I'm sure in terms of the medical profession, the law profession, other health care professions etc. We see the legislation really providing us with a true opportunity to have a voice in the profession, to have a voice in terms of curriculum in the profession and for the profession itself, of which we're part, to clearly have a role to play in our programs and in the relevance of our programs for preparing teachers for this province.

I'll also make one other comment. We have been for years providing in-service professional development opportunities for teachers. We see that although we are responding in most cases to the legislation that is currently in regulation 297 as to what is appropriate for teachers to take, we see the opportunity with the College of Teachers to enhance and enlarge the professional development opportunities for teachers and to have a voice with the other members of the council in developing the most appropriate and relevant experiences for teachers so that they can provide the best teaching for the students of this province.

**Dr Shapson:** Let me just make two other comments. As OADE, we're connected to COU, the Council of Ontario Universities, and they share our position as well. They have experience with other self-regulatory bodies that interact in a positive way with university professional schools, and they would expect the same kind of relationship with the College of Teachers.

We also, as Terry mentioned, see some parallels with the act here and acts for the other self-regulatory professions, in terms of size and composition of the governing council, in terms of the disciplinary process and in terms of the separation of powers between two important functions: professionalism and unionism and collective bargaining. So we see those parallels.

Finally, just on a personal note, I happened to be situated in British Columbia when the BC College of Teachers was set up. That happened a little more quickly

than here. Someone just decided it was going to happen. The point I want to make is that it's had a positive influence. I think it's increased public confidence in education because of the way the processes, as proposed here, have been open. I think it's shaken up one or two faculties of education that had to be shaken up.

Here there's a greater advantage for success, because the mandate of the college in BC was a little narrower. It didn't include professional development. Given that we've all seen the demands on teachers and some of the tremendous changes in composition of students, technology and curriculum, all of us working together in a professional way to contribute to teachers' ongoing growth and professional development I think would even be more positive.

**Mr Pettit:** Thank you, gentlemen. I've got two quick questions. Let me get to this one first. Relative to teacher preparation programs, do you feel you're currently getting adequate advice as far as the supply and demand of teachers goes at the present time, in order to help the planning of the programming?

**Dr Shapson:** We are currently working with the ministry to try to get more robust models that will take us through some of the unpredictable times we're going through. So if that were successful, then we think, yes, we would have better data. Right now, the models couldn't predict things like the social contract and a variety of things like that. They're not as accurate as one would hope them to be.

I could just add that the approach we're talking about with the college would in one way help that issue, because we would have built more elasticity into our approaches. Sometimes you may have to be more involved in the pre-service supply side and other times we may have to shift. If there is less demand and if there are new provincial policy decisions, we would get involved in a collaborative way on the professional development.

**Mr Pettit:** Yesterday, one of the groups that was here was the Ontario Federation of Indian Friendship Centres, and I thought they brought forward some legitimate concerns. Are there any programs currently available for aboriginals who want to teach or for teachers who want to teach aboriginal students?

**Dr Boak:** I might be able to respond. Yes, there are. There are four universities that have programs. There's our own university, Queen's University, Nipissing and Lakehead. I can speak of our own university and the development that's taken place over the last few years in providing both Ontario teaching certificate programs for students at Six Nations, which is in the south—I was here previously when they were talking about the north, and Nipissing has parallel kinds of programs—and then also summer programs, which provide for people in the aboriginal community who, for one reason or another, haven't accessed university but do want to obtain a valid teaching certificate to teach in the schools within the province, usually on reserves or just outside reserves. We've been offering over the past six years programs of that nature, supported by both this provincial government as well as the federal government in providing support and grants for these programs.

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One other comment I should make about that is that in the universities which are offering programs, we have aboriginal councils in place at the university level in which the community has a very strong voice in the nature of the programs and the people employed and working in the programs. We have been successful, as the other universities, in being able to employ qualified people from the aboriginal community to head up programs and to do a great deal of the teaching, although some of the teachers are not aboriginal as well.

**Mr Carroll:** As a government, we profess to believe in less government, less regulation and less bureaucracy. The Ontario Teachers' Federation says the College of Teachers is a new bureaucracy, unnecessary because in their opinion the OTF could and should and already does handle several of the functions that we're proposing for the College of Teachers. Can you comment on how you feel about the necessity of this "new bureaucracy"?

**Dr Shapson:** I'll comment on the latter part. We see attention to the professionalism of teachers being extremely important right now in Ontario, and therefore we support the setup of the college. Certificates currently are being issued and have to be issued, discipline hearings have to be set up, so we don't see it as setting up a new bureaucracy; we see it as shifting into some functions and then dealing with enhancements to the professionalism of teachers, which our whole brief suggests is very important to us.

**Mr Skarica:** We heard from the BC College of Teachers yesterday, and they told us that the formation of that college was a surprise and that initially there was, relatively, a tremendous amount of opposition by the teaching profession to it, and that appears to have now been resolved. How did that eventually evolve?

**Dr Shapson:** I think in two ways. One is that they are distinct functions, and they're equally important, but for public accountability reasons, they perhaps should be separate. I think it resolved itself for two reasons: one, that they were separate functions; two, when you get teachers around the table to deal with their own profession, they deal with what's best for the profession and what's best for kids. I think that basically happened around the governing council of the BC college, and we would suspect the same thing would happen around this college here, and that's why we want to be around that table.

**The Vice-Chair:** I'm sorry, the time is up. I know you've got two more speakers, but if some of you want to move to the other side, you're more than welcome to.

**Ms Ecker:** They wouldn't have us.

**Mr John L. Parker (York East):** Think about it as a benefit.

**Mr Wildman:** Depends how reckless you are.

**Mr Patten:** Your comments have been positive, and you've embraced the idea, it seems to me, with enthusiasm. Therefore, I would like to ask you, while of course as an association you would have to say that all of your members are of equal value and equal quality etc, we know that's not what happens in the mind's eye of prospective students in things of that nature. In the relationship with the proposed college, would you see this



as really enhancing that sense of standardization—not standardization; I'm not sure what the term is—but a sense of equal quality for all of the faculties of education? Would this be of help along that road?

**Dr Boak:** Yes, to your question. Let me give you an example of what we have in place now which we think really does ensure quality. Currently, the Ontario Council on Graduate Studies, which is a body of the COU, does provide review on a seven-year cycle of graduate programs in our faculties or other faculties of the university. It's been an opportunity for us to ensure that the quality is there. We see that this will be enhanced in our other programs in our faculty at the undergraduate level as well as in the teacher education programs by having a college, which on a cycle base will review our colleges.

**Mr Patten:** Mr Clifford quoted the figures of about 5,000 graduates a year. What is the uptake of those graduates? How many are employed?

**Dr Boak:** This year, for some really outstanding graduates, short term it's going to be grim. For example, I know in our university we're currently working with the graduates who will graduate within a month, providing some ESL background and we hope to work with some of the foreign countries that are introducing English at an earlier level in their schools to see if they could get placed there for two years and then hopefully they'll come back when the demand will be greater. So right now, short term, it's not wonderful.

However, I think I answered the earlier question about supply and demand. That might be very short term and some people are projecting—I don't know how valid those data are yet—that there'll be a tremendous shortage in two years. So what we're doing now is trying to work with our graduates who we think will be outstanding teachers for Ontario. Unfortunately, for many of them, it won't be in September, but we're trying to get them some related experience, perhaps overseas, in education, and then some data at least that we and other universities have is that after a two- or three-year experience, most of them return and are better for that experience when they come back to Ontario schools.

**Mr Patten:** Dr Boak, you mentioned the changes over time that others may not have seen in the faculties of education. As you address the future responsibility, what is the changing role of teachers as you see it and what does that mean for the preparation?

**Dr Boak:** That's a question that could take a long time to answer, but certainly, with the introduction of different technologies within schools the roles of teachers are changing. The young people coming into our schools now know how to access information and access the massive information out there and teachers are having to be more facilitators in the classroom of how they use that information, how they make sense of that information.

They have moved from being quite didactic some years ago, as maybe many of us experienced in schools, to being more encouraging and facilitating of students' learning. They've had to deal with the individualities of the students and their learning backgrounds, because there's tremendous diversity in the schools in Ontario now in terms of what children are coming to school with and their backgrounds and their language and all the rest.

You're seeing a teacher's role changing quite dramatically from one who might have had a very homogeneous type classroom to one which has such diversity. That's just starting to touch on the whole topic of the changing role and responsibilities of the teachers. On top of all of that, these teachers need to still have a really strong academic background, they need to have knowledge in many disciplines to be able to provide help and direction to students in their learning.

**Dr Shapson:** If I could add two factors, I think it shows the need for lifelong professional development and that's a key part of the college. The other area I would like to add is the whole area that they have to be more accountable in many ways to the public. In many ways we would be supportive, if we had time, of Bill 30, which you're looking at as well, for EQAO, because I think it's really important that teachers understand that as part of the increased standards and accountability, we have to find a variety of means to assess students. Some of that is based on teachers' judgement, but also on a variety of province-wide assessment mechanisms that will then feed into new curriculum development, and those standards are extremely important as well.

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**Mr Wildman:** Thank you very much for your presentation. Could you elaborate a little on how you see faculties interfacing with the college, not just in relation to the fact that you have representation on the board and will be involved in the design of programs and so on. How do you think this is going to change the faculty, if it will?

**Dr Shapson:** I think there will be an ongoing dialogue, of which we're a part, around the table that deals with all the issues, the accreditation, the programs. When a new model is put in place for accreditation of programs, then each individual program will be assessed on that basis. If a particular faculty comes up short, then it'll be accountable to change. In the standards and the accreditation, there will be a process that would then move to accountability at the individual faculty level. That's probably the most direct way.

What I see coming out of this as well are perhaps some new models of teacher development, some being more school-based, others more focused on certain areas like the issue of instructional technology that Terry brought up, or programs for first nations. I also think that with closer collaboration, we would look at the whole career development of teachers and how a faculty could add value throughout the teacher's career working closely with professionals in the field rather than just focusing on the part of the glass that we fill up before teachers get their first real teaching jobs. Those are some of the ways I see this as really justifying the need for the college.

**Mr Wildman:** You mentioned first nations, and we've had some discussion about this because of the presentation of Ms Maracle and the federations yesterday, and she'll be back wearing another hat before these hearings are over, which is typical of Sylvia's approach. Could you tell me what you see as the role of the faculties and the college together in meeting the diversity you talked about that is represented in our classrooms now, where we have many students from a large number of cultural



backgrounds, some of whom have been in Ontario for a significant period of their childhood and others who have just arrived? What kinds of programs do you see developing that would help teachers to meet the needs of such a diverse group of students that they're now facing?

**Dr Boak:** There are a number of things, but let me start with what is really critical. As you're aware, I would think, in our programs we have a significant in-school placement. It's even proposed that this be extended and that it be longer, and we are piloting in some of our faculties now three-month extensions.

Where the real opportunity comes with our faculty and teachers within the schools, of our new teachers going out and working with this diversity, is actually in the schools, working in the schools with the children who are coming from these diverse backgrounds or coming with English as their second language, coming from different ethnic groups. We see that as really critical. It's the whole merging of theory and practice, and that is really significant and will, I think, be enhanced by the college.

It's always been somewhat of a struggle for a recognition of what we're doing in faculties and what's happening in schools and a merging of that theory and practice. To deal with this diversity, we've got to be in the schools and doing that. I think that's where there will be a freer flow of faculty members and teachers in the system, by the college. The college, I think, will recognize that they need to have this freer flow.

A number of our faculties have formed consortiums of one sort or another with people in the field, not only teachers but people in the business communities, because they're very interested in our graduates—back to supply and demand. You might say that we are primarily responsible for preparing teachers, but some of the uptake of our graduates is going into a number of businesses, working in financial institutions, working at General Motors as educational trainers, so there's a lot of base in the value of our educational experiences for many.

**Mr Wildman:** One wag said to me, when he heard that you were coming, that the worst pedagogy takes place at the post-high-school level and wondered what we were doing and what should be done to enhance the pedagogy that takes place in colleges and universities.

**Dr Boak:** Many colleges and universities have probably recognized that point and have developed instructional development centres for the very real purpose of working with faculties in universities or professors in universities. I know many of the education professors who are working more in the teaching area and have a knowledge of that profession are indeed facilitating the teaching of our other colleagues in university environments.

**Dr Shapson:** Let me just add—it connects to your earlier question—one of the approaches we're using is not only getting the faculty of education members out to the schools but people in some of the other cognate departments. Their interacting with students and teachers at an earlier age I think starts to shift the pedagogy which has been content-based into a different framework that concentrates on different student needs but also on critical skill developments in addition to the important content development.

**The Vice-Chair:** With that, I'd like to thank you very much for coming before the committee today and for your presentation.

#### CANADIAN JEWISH CONGRESS, ONTARIO REGION

**The Vice-Chair:** I'd now like to call upon Mr Bernie Farber, the national director of community relations for the Canadian Jewish Congress. Mr Farber, you have 30 minutes to make a presentation, which will include questions and answers from the different caucuses. Welcome, sir.

**Mr Bernie Farber:** My name is Bernie Farber. I'm the national director of community relations for the Canadian Jewish Congress. In this capacity, I also direct the Ontario region of the Canadian Jewish Congress community relations committee. On the side, I am also a parent with two young children enrolled in a public school in York region, just outside of Toronto.

The Canadian Jewish Congress, Ontario Region, represents the Jewish community to fellow Ontarians and to government. It acts as a vehicle for advocacy on a broad range of public policy and social justice issues.

Congress promotes intergroup relations and combats anti-Semitism and racism. It is committed to preserving and strengthening Jewish life throughout the province, it stresses the centrality of Israel for Jews and Judaism and fosters concern for the status of Jewish communities abroad.

The community relations committee is made up of members of our community with expertise in education, the arts, law, journalism and other areas that would impact both on the general and Jewish communities. The committee addresses issues of discrimination and human rights and combats anti-Semitism and racism. In fact, the congress has been a catalyst in the development of federal and provincial laws dealing with extremist racist expression and group vilification.

The committee also monitors the shaping of public opinion for negative impact on vulnerable minority communities. It ensures that religious observance is not a bar to a person's participation in the public realm, be it at school, at work or other venues. It assists victims of anti-Semitism and discrimination and counters the activities of racist groups.

We very much appreciate the opportunity to address the standing committee on Bill 31. For the purposes of the Canadian Jewish Congress's position, we will only be commenting on the specific issues that we feel impact on minority communities and the manner in which Bill 31 and an Ontario teachers' college can be of benefit to minority communities and to the general community. Our most specific concern deals with the role of teacher and so-called public trust.

In the past the congress felt that Ontario Teachers' Federation guidelines, as well as policy and public statements ensuring vulnerable communities that there would be a zero tolerance level for discrimination and bigotry from school boards, would be enough to deal with racist incidents and the rare possibility of teachers who discriminate either outside or inside the classroom. Unfortunately, history has shown a different record.

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The most notorious example of a public school teacher who was permitted to teach unadulterated anti-Semitism for 10 years, James Keegstra, was a matter not handled by the local Alberta school board, his employer, nor did the local union effect any significant change in his attitudes and teaching concepts. Indeed, it was the courage of one parent, non-Jewish, Lesley Maddox, who followed a complaint with dogged determination to ensure that James Keegstra would never again be in a position to teach his particular brand of hatred.

Thankfully, criminal charges lodged against Keegstra for promoting hatred were eventually upheld by the Supreme Court of Canada. None the less, it is difficult to come to grips with the fact that neither the school board nor the union ever placed themselves in the position of dealing appropriately with this most serious matter.

While the case of James Keegstra might appear obvious, less obvious was a recent Supreme Court case dealing with Malcolm Ross. Malcolm Ross was a Moncton, New Brunswick, teacher by vocation but a racist by avocation. Ross propagated the notion of an international Jewish conspiracy. He denied the Holocaust and saw Judaism as the root of evil, while holding Jews responsible for most of society's ills. While Malcolm Ross never brought his noxious views into a public school classroom, the Supreme Court of Canada accepted the fact that Ross published books and made public statements which clearly attacked the truthfulness, integrity, dignity and motives of Jewish persons.

Once again, what became apparent in the Malcolm Ross case was that the school board which employed him, while taking some minor disciplinary action, never effectively dealt with the fact that Malcolm Ross was one of Canada's leading public anti-Semites. It retained him as a public school teacher within the Moncton school board.

Again it took the courage of one parent to launch a complaint under the New Brunswick Human Rights Act, which alleged that the school board's ongoing employment of Ross as a teacher was tantamount to the excusing of his views. This applied a very negative example to students, it made it easier for children to act intolerantly and poisoned the school community's atmosphere. As a result, the complaint suggested that Jewish and other minority students would be denied equal opportunity.

The original decision by the board of inquiry was to remove Ross from his teaching position. If a non-teaching position became available, he was to be offered such, and to ensure that as long as he remained employed by the Moncton school board, he no longer produce anti-Semitic and racist material.

The issue wound its way through various levels of court, finally ending up at the doorstep of the Supreme Court of Canada. At the beginning of this month, it was the unanimous decision of the Supreme Court of Canada to uphold the original order barring Ross from the public school classroom.

While this was a matter of great relief for a majority of Canadians, once again eyebrows were raised. Why did a parent have to take such drastic action? Where was the school board? Indeed, at its early stages, why did the

union seem to more strongly support Ross's right to be an anti-Semite rather than the children's right to be free from a poisoned atmosphere within the school?

However, my friends, one need not look to Alberta or New Brunswick to see examples of potential racism among public school teachers. Only a few years ago, a racist teacher employed by a school board right here in Ontario for almost 20 years was free to preach and publish what many considered to be racist views, albeit outside the classroom, and without censure. He was a founding member and an active participant of several organizations which advocated white supremacy, banning non-white refugees and immigrants from entering Canada and promoting ill will and intolerance against gays and lesbians, as well as native people. He addressed rallies where well-known hatemongers were honoured and Nazi swastika flags, Ku Klux Klan and skinhead symbols were prominently displayed. He was also known to have attended a celebration in honour of Hitler's birthday.

Over the years, complaints of fellow teachers and of the Jewish community were ignored, and this teacher remained employed by a local board of education. Parents did not complain despite discomfort felt by many visible minority students in the school. Many were simply afraid to do so; many of them, of course, were new immigrants to this country. Neither did the teachers' union take any action, whose constitution commits teachers to "foster and promote the dignity of all persons regardless of race, religion and/or cultural origin."

During a public speech given by a native leader in Toronto protesting the activities of racist organizations in Ontario, this teacher, who was present, uttered the anti-native comment, "Scalp 'em." Following this incident, Canadian Jewish Congress, Ontario Region, and the Native Canadian Centre of Toronto joined forces and developed a strategy to attempt to remove this public school teacher from his high school classroom. Our two groups utilized the media by providing it with information about his activities and were successful in convincing the school board to at least launch an internal investigation. As a result, he was formally reprimanded.

Yet this did not deter the teacher. He continued to sow the seeds of divisiveness. A few months later, the two community groups obtained a videotape of the teacher's address to a neo-Nazi rally in downtown Toronto. Congress and the native centre then used media scrutiny to persuade the Ministry of Education to finally conduct a formal inquiry. The resulting report found that a teacher has an obligation to be a role model in the area of human rights and ethnocultural equity and should not promote discrimination or inequity inside or outside the classroom.

Finally, exactly two years to the date of the first complaint, the teacher was removed from the high school classroom. The teacher in question, however, remains employed today with the school board and teaches adult education.

Teaching is a very special and noble profession. We have read time and again of responsibilities that teachers have as a public trust to be positive role models for their students. Codes of conduct, codes of ethics and guidelines found among teachers' unions and teachers' associations spell this out admirably. A school, especially a public



school, is a unique place. A vital element of public education is to teach children to respect individual and group differences and to foster understanding among the school community's diverse population. Indeed, many school boards have specific race relations policies which identify this important endeavour.

None the less, minority parents and our community specifically have not reached a level of comfort that school boards and teachers' unions will effectively deal with the rare case of a public school teacher who is an admitted and public bigot. It has not happened in the past and we are not convinced that it will happen in the future. It is for this reason that we believe the establishment of an independent body known as the Ontario College of Teachers will help ensure that minority children in Ontario's schools are protected from the likes of the Keegstras and Rosses of this world.

Further, we are extremely supportive of widening the governing council so that it includes parents, students, school trustees, business and labour. We believe the entire Ontario community has a specific and necessary interest in our education system. By broadening the governing council to this degree, it will better reflect the entirety of Ontario.

A major impediment we found in dealing with the case of the Ontario school teacher was the secrecy and in-camera process, which created an atmosphere of mistrust. With the recommendation that disciplinary hearings of the governing council of the college would be open to parents, such mistrust will dissipate. While it is not always proper to deal with personnel matters in a public arena, where there is a definitive public interest, an open, public process is far preferable. Publicly funded professions that impact especially on our children's lives must be open to this kind of reasonable scrutiny. Further, the opening of investigations and disciplinary committees of the college to lay members, which will include parents, will add to the feeling of openness and accountability.

However, my friends, a word of caution is necessary. It is imperative, if this procedure is to work effectively, that proper protection be in place to ensure that any disciplinary complaints are deemed to be reasonable. As well, investigations into disciplinary complaints and procedures that follow must of course be in keeping with the law, human rights safeguards and the charter of our land.

We strongly urge and support the adoption of the college acting as a public complaints bureau for perceived professional misconduct or incompetence against its member teachers. This will give parents the added security of knowing that if a school board or union is not prepared to deal with perceived problems of racism and bigotry, a formal complaints procedure to the college remains an important and open option.

None the less, we are cognizant that any such endeavour carries with it the possibility of more bureaucracy and ultimately the potential for complicating the process even further. This must not only be resisted, but precautions established to ensure that the Ontario College of Teachers is accessible and open. If the college were to merely add to the already burdensome procedure that parents and communities have had to endure, it would only lead to a further souring towards the system.

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Bill 31 can become a beacon of light for vulnerable minority communities within Ontario. While we have not commented on specific areas of the legislation, we wish to urge in the strongest possible terms that this committee understand our community's call for the establishment of the Ontario College of Teachers as one of the safeguards necessary in ensuring that all children, regardless of race, creed, colour or nationality, feel welcome within Ontario's public school system.

**Mr Patten:** Thank you for the presentation. This is a different basis of support for the college than we have received heretofore. I would concur of course with the legitimacy of your concern and worry, particularly as you've laid out the historical examples of where the non-responsiveness has occurred.

On page 6 of your presentation you suggest widening the governing council further than what is there at the moment, and at the moment there are 31 members. Specifically, what would you be looking at?

**Mr Farber:** What we are supporting is the widening of the governing council to include parents. Our concept here is to have this as open as possible. The problem that we have discussed and that I've discussed here and that we have had in the past is that there is a sense, especially in minority communities, where we've had to struggle with the kinds of issues that I've discussed here this morning, that the school community protects its own. So if there's a problem with a teacher, if there's a problem around disciplining a teacher, especially in that very complicated area of racism and discrimination, what we have seen happen is the walls sort of closing in.

In the case that I mentioned—and by the way, just for the record so you understand, because I know there are questions as to why we are mentioning Malcolm Ross and Keegstra and not mentioning this other teacher, we felt it more appropriate since this particular teacher, although faced with a ministerial inquiry, was never before the courts. The teacher's name is well known. If somebody wants to know, we have no problem making it public, but just in terms of our presentation, it was the model that was more important.

In that particular issue, I can tell you, because we were very directly involved in it, that the amount of secrecy and the amount of what was perceived to be non-openness was so apparent. Even the internal investigation by the particular board of education was held in secret, in camera. We have no idea what they found, why they found it, how they found it and how they came about putting together such a minor disciplinary procedure.

If one widens this governing council, and if of course it is this governing council that has responsibility around disciplinary areas, I think what it will end up doing is giving the needed impression out there that when we deal with teachers—and I put teachers in a special category; I always have. We're dealing with teachers paid by the public purse who have, I believe, a sacred public trust. We entrust our children to them for close to eight hours a day, and that is pretty significant for us as communities and parents. We want this kind of situation as open as possible. That's why we were strongly supportive of widening it.



**Mr Wildman:** I appreciate your presentation and the work the congress has done and is doing now. I know of the case that you refer to from my involvement with the aboriginal community particularly.

I can understand your concerns and your desire for additional protections to deal with teachers who might be racist or be actively involved in discrimination against minority groups and aboriginal people, but I would like to raise with you a different aspect.

One of the groups that has appeared before our committee represented gay and lesbian teachers. They expressed a concern that the investigative powers of the college and the information they put on the registry might not properly take into account the right of privacy and might mean that, for want of a better phrase, some teachers might be outed, and this might then cause problems for them and their families. Do you have any thoughts about that difficulty? I know the interest of the congress in protecting all people, whether they be visible minority groups or members of the gay community, from discrimination.

**Mr Farber:** Thank you for that question. I was expecting it and I think it's an important question. You're right in suggesting that the congress has had a specific interest in dealing with minority communities. We've worked very closely with the gay community. We have been one of the only ethnic-religious groups that have strongly supported the inclusion of sexual orientation in the Canadian Human Rights Act and in dealing with criminal activity against gays and lesbians.

That being said, when we put together our brief, we were cognizant of that issue and cognizant of the concern that certain groups within the gay community may have in relation to the situation. It was for that reason that we chose our words carefully. The word, you'll note, that comes across more often than not is "reasonable." It is my sense, and I would believe, at least in my reading of the legislation, that it is unreasonable to attack, investigate or discipline—terribly unreasonable, completely unreasonable to do such—simply because a teacher may or may not be a member of the gay community. There are no reasonable grounds that I've read anywhere, that anybody has read anywhere, to believe that a teacher who is gay would deal negatively with a student any more than a teacher who is heterosexual.

If indeed there was any movement by the Ontario College of Teachers to investigate member teachers simply on the basis of their sexual orientation, it's clear to my reading and our legal counsel's reading that that would be completely and totally against charter rights, especially in the way the charter has been interpreted by the Supreme Court of Canada in dealing with the rights of people who are gay and lesbian.

I don't believe that's going to be an issue. I understand the group yesterday did. We humbly disagree with that. We believe the charter has been interpreted very clearly on that issue and that if, God forbid, that came up, rest assured that groups like ours and others would be strongly standing with members of the gay community to ensure that proper justice would be done. But I can't imagine that such a situation would occur.

Secondly, we have to look at the fact that there have been other Ontario colleges—there is an Ontario College of Physicians and Surgeons, for example. Doctors also have a sacred trust in society, and to the best of my knowledge, I've never heard of any complaint being lodged against a doctor because of his or her sexual orientation. So I think we have to go with a little bit of history here as well.

Although I'm sympathetic to those concerns, mainly because the gay community has been a targeted community of discrimination, my best possible feeling at this point is that would not happen, it should not happen, by law it could not happen, but if indeed it did, there would be many standing on the side of the gay community to help them deal with it.

**Mrs Ecker:** Thank you, Mr Farber, for an excellent presentation. What you have done perhaps better than anyone to date—without being critical of anyone previously—is underline two really important principles about the whole issue of the concept of professionalism.

The first is to be able to take off the hat of what's in the best interests of the profession or the individual professional and to put on the hat of what's in the best interests of the public, which is what this debate and this discussion are all about. Second, that has to be balanced with the rights and the legal rights individuals have as well. You've put it very well.

One of the cautions you make in your presentation is that you're concerned about more bureaucracy, potential for complicating the process further. Is there anything specific in your examination of the legislation that has caused you to raise this concern, or are there specific pitfalls you see that the government and the college might fall into if we're not cautious?

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**Mr Farber:** This is a very good question. There was nothing specifically in the legislation. But what I found of great interest is that prior to putting our presentation together, we had the opportunity of speaking to a number of teachers, principals and vice-principals, school trustees, just to ask them what their position is on this matter, how they felt about it etc. We had a tremendous range of opinion, I can tell you.

Of the rank-and-file teachers, at least the ones I've spoken to, and there's nothing scientific about this other than that they came from different parts of the province, very few had a lot of information about the Ontario College of Teachers. I know the federation has been strongly opposed to it and has echoed serious concerns, but certainly among the rank and file I have spoken to, they're teaching day to day, and this is just not one of the issues high on their agenda, rightly or wrongly.

However, of those who know about it, their major concern was an issue that the college may be becoming another bureaucratic giant where there would be so many levels of disciplinary procedure that it would just bog them down in bureaucratic red tape. That's not our goal here. There is enough bureaucratic red tape in the education system. I've been dealing with it for years on various different levels, so I'm aware of it.

I'm also aware, when a disciplinary procedure is led by a parent, of how difficult it is for that parent to have

support, because very often there is no support. A parent usually stands alone. You can take a look at the examples I mentioned, how difficult it was for these two parents in particular to do what they did. We couldn't even find a parent in the case of the Ontario teacher because of a lot of fear. That's why the two organizations had to do this together, and then we began to understand the issue. Literally, we had to go through reams having to do with the bureaucracy of the school itself, then with the school board and then with the ministry. It took over two years before that issue was resolved.

The caution I'm suggesting is that whoever is going to be hired to deal with the issues of establishing the process look at it carefully and ensure that it's open and accessible and isn't there just to create jobs for 100 other people and create reams of red tape. I think the caution should be well heard. The public would just throw up their arms in despair and say, "Another government giant."

I think this can work. It's got great potential to be a protector for children, for teachers and for parents, but if it doesn't work, it could also be a tremendous failure. We have to be careful of that.

**Mr Dan Newman (Scarborough Centre):** Thank you, Mr Farber, for coming to the committee today. On page 2 of your brief, you mention that the Keegstra situation in Alberta "was a matter not handled by the local Alberta school board, his employer, nor did the local union affect any significant change in his attitudes and teaching concepts."

Given that and the situation we have here in Ontario—you mentioned the local board of education having an in camera process. What assistance, if any, did you get from the teachers' federations?

**Mr Farber:** "Assistance" is not the word I would use. As a matter of fact, they threw up all kinds of barriers, which surprised us. Listen, I understand the need for unions to protect their employees. I also know, because of work I have done with unions in the past, that within various locals and within various unions, one with local officials would weigh and judge particular cases to decide how far they're prepared to go with that particular member. If it's a case that's way off the other end of the stick, very often pressure would be put on that person to either drop the case or what have you.

We wrote to the Ontario Secondary School Teachers' Federation in the case of this teacher and we wrote to the Ontario Teachers' Federation in relation to this teacher. We pointed out to them, from their very own constitution, the obligation they have to ensure that teachers meet the standards necessary and specifically around anti-racism and the statements they have made. Not only were we not answered, but the teachers' federation of course supplied legal assistance and legal counsel to ensure that this procedure wound its way for two years.

While on the one hand I guess I can understand the need to protect a member of the union, on the other hand what we were left in the dark about and were left terribly confused about was the lack of understanding from the union's point of view, about why they would not insist that their particular member adhere to their own guidelines and their own constitution. This teacher is still

teaching and is still a member of the OSSTF and still a member of the OTF. In fact, even though I understand that a complaint may have been launched against this particular teacher at the time within the union—it's my understanding and I can't verify it—to the best of my knowledge, no action to this day has ever been taken by the union.

The union, to us, really turned out to be a lame duck. That being said, the school board didn't turn out much better either, and the school didn't turn out much better either. There was no help anywhere, and it was only because of the work that congress and the native centre did in tandem did anything happen.

**Mr Newman:** Do you feel the college will definitely help in this respect?

**Mr Farber:** Without any doubt. The college we see as an independent organization where parents finally would have a right to bring a complaint without the worry of one or the other side having an agenda.

**The Vice-Chair:** Thank you very much, Mr Farber, for your presentation.

#### HEALTH PROFESSIONS REGULATORY ADVISORY COUNCIL

**The Vice-Chair:** I now call Christie Jefferson, who is the chair, and Dr Jerry White, the vice-chair of the Health Professions Regulatory Advisory Council. Welcome to our meeting.

**Ms Christie Jefferson:** Thank you very much for the privilege of addressing this committee on this important piece of legislation. Before I begin, I want to clarify our understanding of why we were invited to make a presentation to the committee; that is that we are a new council that advises the Minister of Health and were created by the new Regulated Health Professions Act, and as this bill is modelled at least in part on the RHPA, I gather it was thought to be helpful for us to do a comparison. I should add that we are both members of the public, and therefore our focus will be to talk about this comparison from the perspective of the public interest. Without further ado, Dr White.

**Dr Jerry White:** The Regulated Health Professions Act and its attendant legislation, 1993, is a model piece of legislation. Indeed, across the North American jurisdiction, it's been pointed to as legislation to be emulated, and recent national investigations in the US have pointed to us and said, "Let's take a look at that Ontarian experience." It's quite clear to us, at least, the relevance of this legislation to your deliberations in terms of College of Teachers legislation.

The first point I'd like to discuss is what I'd call structure and integration within the act. I don't want to bore you right off the top, so I'll try and make it as relevant as I can. In regulating the health professions, we had an incredible advantage. We put together—I talk about "we" in terms of the province—the Regulated Health Professions Act, the health procedural codes, the individual legislation for doctors, nurses, midwives, and also the regulations and bylaws as a continuous package, so they're synchronous. There's not the type of contradictions and difficulties and inconsistencies that face this



legislation, because this legislation is being on the front of arguably one of the most complex pieces of legislation in Ontario today, the Education Act. It takes up some 250 pages—I tried to study it, and gave up, before the meeting today—of the Revised Statutes of Ontario.

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Let me just take an example. In the teachers' college act, unlike the health professions act, there's no legislative outline for what would be the scope of practice or standards of practice for a teacher. It's said this will follow in regulation: "This is what a teacher is and what they should do." However, in the Education Act, clause 264(1)(c) outlines the duties. If I could take a second and read, I think you'll see some of the difficulties.

Clause (c) says it's the duty of a teacher "to inculcate by precept and example respect for religion and the principles of Judaeo-Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance"—it goes on.

This would take precedence in legislation over anything that was put into regulation. It would be a very difficult process for any college to try and administer and direct those types of parameters around a scope of practice of professionalism for a teacher, so you're faced with a problem of trying to deal with some of these inconsistencies because you have an act in place already.

A related problem is linked to the structure of the act; that is, the act says regulation shall take place only over teachers in the public domain workplaces. This sets a very dangerous precedent. In the health area, our principle is that we regulate the individual practitioners, professionals; all those acting in the capacity of or holding themselves out to be a regulated professional are covered by the appropriate college regulations. This act is a step towards regulating the workplace, and it sets in that sense rather than the professional, because teachers in a variety of settings will not be subject to the college's regulation; for example—I pick one—the private schools.

I spoke to the complexity in our regulated health professions regime. No regime can cover every kind of inconsistency and contradiction, but we have certain mechanisms within our act to deal with these. Christie Jefferson will comment about this.

**Ms Jefferson:** The first and most obvious is that RHPA created our council. Our job really is to provide advice based on the public interest after having a public forum or a public review of contentious issues. If you don't resolve them all, is there a way of establishing a similar kind of body in this legislation? Right now, there is no equivalent. What you've got will only be able to be addressed through further legislative action.

A number of other issues around public interest are expressly addressed by the RHPA where there is no mirror, or a minimal mirror, in the proposed act. For example, one of the most innovative and interesting sections of the RHPA is section 3, which specifies the duties of the minister responsible for health and expressly talks about what the public interest is. It's kind of a buzzword. It can mean almost anything if you don't have a bit of an idea in the legislation of what the legislator's intention is.

Let me take a moment and read that short section to you. "It is the duty of the minister to ensure that the health professions are regulated and coordinated in the public interest, that appropriate standards of practice are developed and maintained and that individuals have access to services provided by health professions of their choice and that they are treated with sensitivity and respect in their dealings with health professions, the colleges and the board."

Again there's no equivalent statement in this legislation, and it's something you may want to consider. We found that section to be absolutely essential in interpreting our mandate, and I know many colleges did as well, to understand how colleges are to regulate in the public interest. That's a common piece between the two bills. Both bills spell out that colleges are to serve and promote the public interest, but if you don't have an indication of what that is, that can be somewhat of a vague statement.

Another place of difference is in the question of corporate legislation. Both acts say the college shall be a non-profit organization. The RHPA, on the other hand, specifically says the Corporations Act will not apply to the colleges being established; in other words, it's setting up a completely independent corporate regime, a non-profit organization. This bill, however, we found somewhat confusing. It says on the one hand it doesn't apply, but then goes on to say in subsection 2(3) that the Corporations Act and the Corporations Information Act could specifically be made applicable by the act or regulations, and later, in 37(1), specifically allows the council of the proposed College of Teachers to make regulations such that the two acts already mentioned and the Business Corporations Act are applicable to the college.

It's very unclear what kinds of profit corporate provisions would be appropriate for a non-profit regulatory body. We were left wondering, is this a double message? What was in mind, if anything, in allowing this open door?

Finally, paragraph 3(1)10 of Bill 31, which is the objects of the college, states that the college's object is the promotion of the profession. This flies in the face, in our view, of the historic and important separation in Ontario of having the professional associations take care of professional interests and the regulatory body take care of the public interest. This is an extremely contradictory message to give to this new regulatory body.

**Dr White:** I'd like to talk a little about public involvement in regulation. Public involvement is very crucial in this act. We find the proposed numbers of public members to be very positive, but there are a couple of issues we'd like to clarify from our experience in working with the Regulated Health Professions Act.

The public should have a sizeable and not token representation, and we feel the act as it sits now does give the public that sizeable representation. The public must have a role in the regulation of professionals. That public should also reflect Ontarian society. That said, we also wish to reiterate that this must be self-regulation. That's the key, that people are regulating themselves through a mechanism they can control themselves. This means that the majority of the college council must be



made up of the regulated profession's own members. This is quite crucial to the principles of acceptable democratic governance. We would see that it's the kind of proposal that makes governance possible within a college and makes the college's activities reasonable to its members.

The involvement of the public in committees of the college, as is set out for the investigation committee and the discipline committee, is also very important, and we see this as positive.

We would also like to note, though, that Bill 31 does not preclude public members from being teachers, ie, college members could sit as public members. This is something we have in our acts in the health area, and this is very critical because one can't have the public excluded by having professionals sit as their entire numbers in the health area, as I say. Even in our HPRAC, we do not allow members of any of the professions that are regulated to sit. I'm an academic, not a medical doctor, in case somebody was going to notice that there's a contradiction.

A further problem we see is that the RHPA and the specific health acts create something called quality assurance and patient relations. Some sort of reflection of this would be very good within the act, because these committees tend to work on questions of relations between practitioners and patients, between college and the public and raise the quality of professionalism. We would suggest that they might be considered for addition.

Last, I'd like to raise a problem we noted. The act proposes that the teachers' college will accredit university education programs, in paragraphs 3(1)3, 3(1)4 and 3(1)9. This is a substantial departure from what we have done in the health care area. In the health professions, this would be like giving the College of Physicians and Surgeons the responsibility to accredit the University of Toronto medical program. That's a job that I don't think they would like to put their resources and time into, and it's a very intensive process and needs particular skills and particular moneys.

This may seem an economy in some circles, but it treads over academic jurisdictions, in our opinion, and gives the college an unacceptably difficult task to carry out. We would probably caution the committee to look very carefully at this set of recommendations.

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**Ms Jefferson:** One final point before we close, in terms of an obvious difference between the two pieces of legislation, and that is the lack of any specific provisions concerning sexual abuse of students by teachers. As many of you will recall, Bill 100, in the final hours before RHPA was finalized, revised that legislation in several significant ways to address what we've seen, I think, as the vulnerability of patients and the power imbalance between patients and health professionals, and that special attention needed to be paid to that.

One could argue that a similar kind of power imbalance, particularly between young students and their teachers, needs to be addressed in this legislation. Just to refresh your memory, some of these provisions included a specific definition of "sexual abuse" to make it clear to the professional what was acceptable and what is unacceptable. It included mandatory reporting by professionals

of suspected abusers to the college; it included stiff penalties for convicted abusers, a fund for therapy for patients who had suffered sexual abuse; and allowed for third-party participation in discipline hearings in certain circumstances, particularly the complainant. The kind of situation envisioned is where that complainant's own reputation or character was called into question that the panel could say, "Yes, you have a specific concern here, and we're going to let you talk to us." So those are the provisions you may want to consider in this bill.

In summary, to conclude our comments, while Bill 31 and RHPA have many similar provisions in terms of the public interest, there are a number of important RHPA provisions that entrench and clarify the public interest that are absent in the proposed bill you're considering. I think that's it for our comments; I don't know if you have any questions.

**Mr Wildman:** Thank you for your presentation. We may not have time, but there are two questions I have, really. If I use the College of Nurses of Ontario as an example, could you give us an idea of what the distribution of members of the profession elected and members of the public appointed would be on that college?

**Ms Jefferson:** It's one of the larger colleges. I think it's 30—

**Mr Wildman:** That's why I chose it.

**Ms Jefferson:** Yes, I know. Off the top of my head, it's something like the high 30s, and I think it's similar proportion. It is different in that it specifies the number of RNs, registered nurses, and registered practical nurses in terms of the distribution of professional members, but it is a very similar proportion, just under half would be members of the public.

**Mr Wildman:** I see. Okay. The other question I had was in regard to your last comment in your presentation, when you said there are a number of provisions that are present in the Regulated Health Profession Act that are not present here. Is it possible for you to give us a short synopsis of some of the main areas that are not?

**Ms Jefferson:** Yes, I think, in summary, there is no expressed provision in the legislation that says what the public interest is, and what the minister's role is in ensuring that the College of Teachers would regulate in the public interest. There's no body, such as ours, that would be a source for resolution and public review of ongoing problems with the legislation. It is possible, too, that the balance between public and professional membership may not hold if it isn't clear that professional or public members can't be teachers, unlike in the RHPA which says that, and a number of areas around the complaints system. Particularly, I know that in the health arena, people who have been sexually abused feel quite strongly that when their personal reputation is being torn apart in the middle of a college hearing, they should have the right to be there, and this legislation does not allow for third parties; ie, the public member or the parent who's complained about the behaviour of a teacher will not have the right to address the committee that needs to make a decision. There are those kinds of really, in our mind, fairly significant gaps, if you will, in this legislation.

**Mr Wildman:** Could I ask the committee research—I'm not a lawyer, and I know there are lawyers who are members of the committee, but I'd like some advice, some information as to what would be the situation if a parent believed that a child had been sexually abused, to use that as an example. What would be the role of the college vis-à-vis the other authorities, like the children's aid society, the police and so on? We all know there is other legislation in place in the province which requires reporting of that kind of incident. A teacher must report; a member of the public must report. If it is reported, then I would think other authorities such as children's aid and the police would be involved. I'd like to get some clarification as to the roles of the various groups, as well as the school board, which of course would also be involved.

**Ms Jefferson:** Absolutely. But just to mention that it is the regulatory body's job, if this legislation is passed, to certify or decertify that teacher. They have a very specific role, aside from any criminal action or the local school board firing that individual. If you want to make sure that individual can't teach any more in this province, you'd need to make sure that provision is clear.

**Mr Wildman:** We all understand that. The reason I was raising that was because of the concern you raised about the individual having the opportunity to present during a discussion of his or her reputation that might be part of the defence of the accused professional. I'm just wondering if the situation might be different in a situation involving children. I realize you could have a similar situation with a member of the medical profession being accused of this.

**The Vice-Chair:** We can get the researcher to do some research on that.

**Mrs Ecker:** Thank you very much, Christie and Jerry. It's good to see you again.

The previous presenter focused in on the experiences the Jewish congress had about the difference between the public interest and what they saw in some circumstances as the professional interest, and how some of the teachers' organizations did not, in those circumstances, seem to be able to make the distinction. Given the fact that you've been advising the health professions, many of those who are becoming self-regulatory professions for the first time, and that they've had to look at that challenge—what is the public interest and what is the professional interest—what do you see has worked in terms of helping professions make that shift and what advice do you think you would give either the new College of Teachers or the government about how to assist teachers in understanding the difference in the two roles?

**Dr White:** Possibly I could start and we could continue with it. I think one thing that's different is that Ontario does have some tradition in terms of the health professions about the division. We've had, let's say, on the one hand the Ontario Medical Association, and on the other the College of Physicians and Surgeons, since before the turn of the century. We have the same situation with the Ontario Nurses' Association. So in a way, for the teachers, they're going to be going through a brand-new kind of hurdle.

**Mrs Ecker:** Like the midwives and dieticians.

**Dr White:** But many of them didn't have advocacy groups as strong before.

I think the previous speaker did quite an adequate job in the sense of pointing out, quite carefully, that the unions and associations have the responsibility of promoting the profession. I think that is their responsibility, and the better they do that, the better the colleges can regulate. It's the separation of those powers that gives the whole system its engine to work.

That's why we raised a caution around paragraph 10 of subsection 3(1) of the act, because this is very confusing. That separation is brought together and knitted because the college is told that one of its objects is to promote the profession. I think there's a very serious problem in that sense. I guess what we would say is that the better each side does its respective jobs, the better the whole will work.

**Mr Skarica:** One of the concerns that's been raised by the teachers' federations involves the discipline and investigation process, including the search and seizure provisions in this act. It's my understanding that this act has been modeled after similar provisions in the RHPA. What problems have you had in that discipline investigation area, if any, up to this point?

**Ms Jefferson:** To clarify, we're not the ones who do the investigating, that is the role of the colleges. There haven't been too many complaints that we've heard about those provisions specifically. Also, one of the advantages of having a group like ours is we do have the responsibility of evaluating the complaints and discipline system, specifically with regard to sexual abuse, but so many of the provisions are common ones, to look at exactly those kinds of issues. On the surface of it they seem to be working reasonably well.

One should note that the Human Rights Code and the Charter of Rights and Freedoms do, of course, supersede all this legislation, but it would be unfortunate if anyone had to go to the extent of having to go to court to address—if these things are improperly used. So again, I think the more direction you can give in the act itself as to how you expect the college to behave, how you expect the profession to behave, I think is to everyone's advantage—the more you can nail those things down, rather than leave them to court cases.

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**Mr Carroll:** We have the OMA and the OTF, they're professional bodies; we have the College of Physicians and Surgeons and now a proposed College of Teachers, regulatory bodies; then we have HPRAC. Who would serve that role in the education field?

**Ms Jefferson:** There is no equivalent to HPRAC in this bill, so what you have now are the colleges—you're setting up a college. There'll continue to be professional associations, but there is no avenue for ongoing public policy review, if you will.

We look at the bigger issues like: Is the complaints and discipline system working fairly for both the complainant and the teacher? Are there provisions that sounded like a good idea but have ended up creating more problems that weren't thought of at the time? There is no equivalent to HPRAC.

**Mr Carroll:** Should there be?



**Ms Jefferson:** Of course, we're probably all biased, but I think it's useful. We sometimes will come up with a suggestion that differs from anything put forward by any party. Sometimes it's a compromise, sometimes it's a new way of looking at it and I think that arm's length from both government and the college and the professional associations is of use. Any of those groups or organizations, if they felt there was something wrong, could ask the minister—in this case, the minister responsible for education—to refer the whole problem and to come up with advice based on the public interest, clearly just based on the public interest. That's the advantage we have.

**Mr Frank Miclash (Kenora):** Thank you very much for the presentation. Something I'd like to go back to and take a closer look at is what you mention in some of your initial remarks regarding the structure of the act. You indicated that regulation of the workplace was here rather than the professionals and you touched a little bit on private schools.

Yesterday, we had a presentation by the Ontario Federation of Indian Friendship Centres and they have some concerns about schools located in first nation communities funded by the federal government. I am just wondering if you have any more comments regarding those particular—

**Dr White:** That's a very complicated question. I don't, and I can't pretend to talk about how those jurisdictions would work. My point and our point, to be really clear, is that if we move towards saying that teachers in this setting won't be regulated and teachers in that setting will, we're not regulating teachers. We're not regulating the profession. We think that is the problem.

If we have a situation where there are health professionals who are on federal payrolls within the jurisdictions of Ontario—because this is a federation, and they don't fall under the College of Nurses, for example, or the other colleges in Ontario because they're not attached here. There could be exceptions, such as in the first nations case, but our comment was much more towards—

we would think it very dangerous to move to licensing workplaces.

**Mr Patten:** You mentioned it was important that this college be self-regulated, that principle, and I don't know if you heard the presentation this morning, but the definition of "teachers" is those who are licensed. The bone of contention from the teachers' federations, of course, is that some of these are not classroom teachers, they're not active practitioners as such and therefore they say they are not given the responsibility to be self-regulating because they're in a minority.

If you include the one teacher who comes from, let's say, the private school sector, then there are 15—there are 31 members and they say that does not constitute it because the others come from a faculty or from a supervisory position. In your colleges, what is the weighting of the value of being a practitioner in terms of that kind of status?

**Dr White:** It's a very complex issue and perhaps we might take it apart the other way. There are two separate questions. One is regulating the private school system, teachers within that system—that should be done—and any other teacher holding themselves out to be a teacher or carry on those responsibilities. But when it comes to the governing council, then you would pick for those members on the governing council from the membership of the college itself. So whomever you choose to be members of the college, that would be the constituency from which to elect those—I believe it's 17 members.

I can understand the worry of anybody who looked at it and said, "If you're going to put appointees and others instead of letting us elect from ourselves, we may get to a point, wherever that point may be jurisprudence-wise, where you're not governing your own house. I can understand their point of view in this.

**The Vice-Chair:** Thank you very much for your presentation and for coming to the committee this morning.

The committee stands adjourned until 3:30 next Monday.

*The committee adjourned at 1206.*



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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

### Substitutions present / Membres remplaçants présents:

Miclash, Frank (Kenora L) for Mr Gravelle

Parker, John (York East PC) for Mrs Johns

Skarica, Toni (Wentworth North PC) for Mr Jordan

Wood, Len (Cochrane North ND) for Mr Laughren

Carroll, Jack (Chatham-Kent PC) for Mr Preston

**Clerk / Greffière:** Lynn Mellor

**Staff / Personnel:** Ted Glenn, research officer, Legislative Research Service

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 22 April 1996

# Journal des débats (Hansard)

Lundi 22 avril 1996



## Standing committee on social development

## Comité permanent des affaires sociales

Education Quality and  
Accountability Office Act, 1995

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Ontario College of Teachers Act, 1995

Loi de 1995 sur l'Ordre  
des enseignantes et des enseignants  
de l'Ontario

Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Monday 22 April 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Lundi 22 avril 1996

*The committee met at 1535 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

## ONTARIO PARENT COUNCIL

**The Acting Chair (Mr Michael Gravelle):** Good afternoon, everybody, and welcome to the continuation of our public hearings into Bill 30 and Bill 31. My name is Michael Gravelle. I'm the acting Chair for the next couple of days and I welcome everybody here. We will begin right away; we're running just a little bit behind now. We welcome the Ontario Parent Council.

**Mrs Lynn Beyak:** Good afternoon, ladies and gentlemen. My name is Lynn Beyak. I chair the Ontario Parent Council and I'm from northwestern Ontario, Fort Frances.

On behalf of the entire parent council, I would like to thank all the members of the standing committee on social development for the opportunity to present our briefs on Bill 30 and Bill 31. With me for the presentation today are Kathy Anstett from Mississauga, Barbara Smith from Markham and Richard Zelinka, our vice-chairman, from London.

Other council members present in the audience are Gisèle Acheson from Navan, Susan Bistrovich from Grimsby, Gabrielle Blais from Orléans, Mary Margaret Laing from Cambridge, Carole Lamoureux from Chelmsford, Valerie Mills-Daly from Kenora, Sonia Reid-Cudjoe from Toronto and Catharine Shanahan from Windsor.

Part of the Ontario Parent Council membership is nominated by regional selection committees comprised of

parents, teachers and the greater community. You can see that we're a diverse group. We represent many geographical areas of the province. We also have a standing seat for members of the three recognized parent federations in the province; that is, the Ontario Federation of Home and School Associations, la Fédération des associations de parents francophones de l'Ontario and also the Federation of Catholic Parent-Teacher Associations of Ontario.

We're proud of our briefs, and without further ado, I will turn the floor over to Kathy Anstett who will present the Ontario Parent Council brief on Bill 31.

**Mrs Kathy Anstett:** As Lynn has indicated, I will be presenting our position on Bill 31. We would like to begin this afternoon by strongly endorsing the establishment of a College of Teachers as an important means of improving the accountability of the educational system in this province. Recent education initiatives recognize that education is a responsibility to be shared among parents, students, schools and the broader community. Parents value teachers as true partners in education and are pleased to support the establishment of a vehicle which will enable teachers to take fuller responsibility for the practice and conduct of their profession, for their ongoing professional education and for the accountability of their profession to the public.

The Ontario Parent Council would like to specifically comment on certain aspects of Bill 31, beginning with the composition of the governing council and of the committees. The Ontario Parent Council is strongly committed to the recommendation that the public have significant representation on the governing council and committees because this mechanism will allow for input from the other partners in education and will help to increase accountability to the public. Inclusion of the public in these committees will help to identify the broader community perspective and will provide valuable feedback from the public on decisions affecting our students.

The governing council and committees must reflect the balance between those directly involved in the provision of education and the people they serve. The Ontario Parent Council is very supportive of the recommendation that the public be represented on all committees to help ensure this objective is met.

Concerns have been raised with regard to the number of members who are to be appointed to the governing council from the public at large. It is our position that the proposed composition of the public representation on the governing council suggested by the implementation committee's report, The Privilege of Professionalism, will allow for a true accounting and monitoring system that will best serve the interests of all of the partners in education. We agree that the duty of the college is as it

is stated in Bill 31, and that is to serve and to protect the public interest. Ontario must have a College of Teachers that best represents the interests of all of its citizens.

The trend to greater public accountability in professions that serve the public has accelerated in recent years. A fundamental shift in the way we look at education and education delivery is occurring, and with that it must be recognized that the public is demanding the right to participate in meaningful ways. Significant public participation on the governing council is essential to this evolution which acknowledges the benefits of greater participation of the public in the public education system.

For this reason, the Ontario Parent Council will not support any recommendations to reduce the amount of public representation on the governing council or committees. Any reductions to the number of public appointees will cause the loss of a significant portion of the diverse group that is being proposed. This would be unacceptable considering that our education system is currently being remodelled to allow for the meaningful participation the public is now demanding.

Ontario parents should be represented by a minimum of three of the public appointments in order to address the perspectives of parents in the public, separate and francophone systems. A standard for public participation in professional bodies of this type is set out in the Regulated Health Professions Act, which provides for approximately 45% of the council to be chosen from the public. The precedent is clear: Significant public participation on councils of self-regulatory bodies is an idea whose time has come, and the Ontario Parent Council is pleased the Legislative Assembly of Ontario is acknowledging this.

We would also like to comment briefly on the process recommended by the implementation committee that the Ontario Parent Council nominate the three parent representatives to sit on the governing council. The Ontario Parent Council agrees that ours is the logical organization from which to nominate the parent representatives, but we acknowledge the importance of including our other parent partners in the process. We have approached the Ontario Federation of Home and School Associations, the Federation of Catholic Parent-Teacher Associations of Ontario and la Fédération des associations de parents francophones de l'Ontario to solicit their participation in the development of the nomination process.

We would also like to comment on the recommendation that the governing council and the discipline committee meetings be open to the public. We support this recommendation as it is important that the principles of openness and transparency be upheld to ensure public accountability. The Ontario Parent Council would like to address subsection 29(7), which deals with the exclusion of the public from a discipline hearing. We support clauses 29(7)(a) and (b) as they mirror what is currently found in the Statutory Powers Procedure Act, which is the act that governs the 85 tribunals that comprise the administrative justice system in Ontario. We agree with the inclusion of clauses (c) and (d).

However, we feel that clause (e), which states "the committee will deliberate whether to exclude the public from a hearing or a part of a hearing," should be

reworded for clarification. It is our understanding that the intent of this clause is to ensure that a decision to exclude the public from a discipline hearing cannot be made arbitrarily by the chair of the discipline committee, but that the committee must publicly deliberate on whether or not to exclude. We support this concept, but we feel that the current wording of subsection 29(7) is a grammatical non sequitur and could lead to a misunderstanding of intent. Open disciplinary hearings are an important part of the administrative justice system in Ontario and we support the Ontario College of Teachers following this model.

Concern has been raised that having disciplinary panel hearings open to the public may be unfair to the teacher whose conduct is being reviewed. We feel it should be noted that an investigation committee will be established to consider and investigate complaints regarding the conduct or actions of a member of the college and that the investigation committee will not be open to the public.

The investigation committee may refer the matter to the discipline committee, or it may choose to caution the person who is being complained against, but the investigation committee will have the authority to refuse to consider and investigate a complaint if in its opinion the complaint does not relate to professional misconduct or incompetence, or if the complaint is considered frivolous or is an abuse of process. It is a reasonable conclusion, therefore, that any matters referred to the discipline committee will not be frivolous and indeed will be worthy of further review. With the discipline committee having the authority to exclude the public under subsection 29(7), the Ontario Parent Council feels the rights of a teacher whose conduct is under review are thus protected. The significance of having disciplinary hearings open to the public reinforces the principle that the teaching profession is accountable to the public it serves.

We would also like to address the recommendation that teachers participate in ongoing professional learning. The Ontario Parent Council supports the recommendation that the College of Teachers be charged with ensuring that all teachers in the province of Ontario participate in career-long learning. Mandatory participation in a career-long program will result in higher standards of practice in the teaching profession and will benefit both teachers and students. It is important, though, that courses complement the day-to-day work in which our teachers are engaged so that our children may directly benefit from our teachers' ongoing learning.

The Ontario Parent Council also sees great potential for this initiative to improve the ability of teachers to provide the best possible assistance to all students in our multifaceted, global environment. Teachers will provide students with a first-hand example of the benefits of life-long learning.

Finally, the Ontario Parent Council is strongly committed to equal access for all students to quality education and training, and we believe that parents across this province will support the concept of an open central registry where teachers' registration information can be accessed.

In closing, the Ontario Parent Council would like to state again our support for this initiative that signals continuing evolution in the education system. Parents and teachers all wish for the same thing: a quality education



system that delivers the very best we have to offer to our students. It is clear that structural and program adjustments will continue to occur in education. Parents and teachers must work together for change that enhances and does not detract from our ultimate goal of providing equitable, quality, publicly funded education across this province. The College of Teachers is a vehicle for us to work together in ensuring this goal is met.

I'll be pleased to answer any questions.

**Mrs Lillian Ross (Hamilton West):** Excuse my voice; I have a little bit of laryngitis. Welcome to all of you.

The teachers' federation has suggested that public appointments to the governing council be reduced, and you're recommending that they stay as they are. As a matter of fact, Mr Patten has suggested that 10% to 15% representation on that council would be sufficient. Do you think the federation should be concerned about the need to have public participation on that council?

**Mrs Anstett:** Absolutely not. The Ontario Parent Council agrees, as it is explained in Bill 31, that it has a duty to serve and protect the public interest. If you accept that—and the Ontario Parent Council certainly accepts that—then significant public representation on the governing council becomes an imperative.

1550

In doing research for our presentation today, I was reading some debates with regard to the Regulated Health Professions Act in 1991, some amendments, and there were some extremely valuable points made in those debates by all members of the House. If I may, I'd like to quote Elinor Caplan. What she said was: "Ultimately what is important in the public interest will be the accountability by the professions, by the professionals, to the public and for them to understand fully that this framework legislation empowers the professions to act in the public interest.... It is my hope that we will always remember, as we go through the debate and the discussion of this historic package of legislation, that the primary and overriding interest must always be the public interest."

If we accept that the public education system is an essential public service, then it cannot be exempt from the principle of public accountability.

**Mrs Ross:** I think the important words that you're mentioning here continually are that it is in the "public interest" that this college is being established.

**Mr Toni Skarica (Wentworth North):** Along the same lines, the OSSTF proposal—and they are here, so perhaps they could address this—is indicating that they feel that the appropriate composition of the council should be changed from 17 to 18 to 25 and to alter the public-appointed representation, reduce it from 14 to six to eight. Perhaps you could address whether you think that would be a feasible composition of the council. Basically three to one is what they're suggesting.

**Mrs Anstett:** No, we do not. We of course support a teacher's right to join a federation and we acknowledge that the purpose of their federations is to enhance their members' rights, to protect their members and to be accountable to their members, but we must acknowledge that their primary duty of course is to their members. The primary duty of the College of Teachers is to protect the

public interest, and no one organization can be seen to control the college when the protection of the public interest is not their primary duty. Significant public participation, as is outlined currently in the bill, does address this.

**Mr Skarica:** Do you feel the three-to-one ratio being proposed by both the OTF and the OSSTF would address your concern, or would that create an imbalance that would not be in the public interest?

**Mrs Anstett:** The Ontario Parent Council is pleased with the representation that is outlined in Bill 31 and would not like to see that changed.

**Mr Richard Patten (Ottawa Centre):** Welcome this afternoon, and all of your other representatives who came with you this afternoon. It's a good, healthy sign, and I'm very pleased to see you here today.

I suppose it's that balance, the balance of what constitutes a professional body and what constitutes public interest. It would seem to me that for a professional college of any sort, any kind of professional body, its first and primary responsibility is the upgrade of the quality of its own profession, and then I agree that accountability is one of the objects as well. But I feel that unless there's a sense that the profession itself wants to feel, "We now have a responsibility, yes, to the public and to ourselves and to the students to upgrade our capacity to make sure that we have in place all the things that will help us be the very best we can possibly be as professionals"—I agree with that.

I think we're talking about a balance. The debate really revolves around—and while I did indicate that I thought that for some professional bodies, 10% to 15% of public participants on that council or governing body was typical, in other areas it's smaller. For example, the nursing profession has a much higher percentage of public representation, and this is what is proposed here. But many of the teachers are saying that out of those 17 that are recommended, they dispute three categories: one from the area of private schools, one from a supervisory area and one from a faculty of education. They're distraught and feeling, "This is not really our professional body."

I'm not talking great numbers. It may be a balance of two or three, and frankly, keep all the representatives who are there; maybe it's adding a couple more. But it seems to me fundamentally important that teachers feel this is their college, that they truly feel this is their college professionally, with a high degree of participation and a high degree of involvement of others within the sector and of course parents.

Given that kind of balance, would you still feel that there might be some basis on which we can help look at the possibility of teachers feeling, "Okay, we do have the majority"? Because you can make the case that they really don't at this point, practising teachers.

**Mrs Anstett:** It's my understanding that this is to be a College of Teachers not strictly for classroom teachers but to encompass the entire teaching profession. It seems entirely reasonable to me that the three positions that are in dispute by some of the teacher federations should indeed be represented on the governing council, particularly supervisory officers, because they must hold teaching certificates and the college will also be responsible now



for issuing certificates to qualify supervisory officers. I believe it's close to 80% now of private school teachers currently hold teaching certificates, and I view this as a great incentive to bring that percentage up higher with participation in the college.

As the college will now be accrediting educational programs offered by the post-secondary institutions, it seems eminently reasonable that an academic staff person should also have a place on the college.

Our position is that 17 positions are held by members of the teaching profession. They have a clear majority. Fourteen positions will be held by the public. We feel this representation will serve both interests. It will protect the public and it will allow the teaching profession to be a self-regulatory body.

**Mr Frank Michash (Kenora):** I too thank you for the presentation. In your opening comments you indicated that you're an advisory body to the Minister of Education and Training. My question is one around the actual drafting of Bill 31 and what kind of involvement you, as an advisory body, would have in the drafting of this legislation.

**Mrs Anstett:** We were not involved in the drafting of the legislation. We commented upon the implementation committee report and have commented on the bill to the minister, indicating our full support.

**Mr Michash:** So those comments have been solicited by the minister and the ministry?

**Mrs Anstett:** Yes, and we have relayed them.

**The Acting Chair:** One minute left.

**Mr Patten:** There's considerable debate around the issues of the extent of powers for investigation, one issue raised of openness. Frankly, a number of us are concerned about the broad basis, to the point where the Information and Privacy Commissioner, Tom Wright, has provided some counsel to us, and the concern is a legitimate one. That is, people can be accused of certain things and be, by virtue of public exposure, deemed guilty even if they are not guilty. As a parent of students, believe me, I feel the same way. You want to make darned sure, for whoever may be charged with something, especially in relation to students, that this is a good process, that it's credible, and that you believe in it and you trust it and you have total confidence in it.

On the other hand, the other side is the nature of information gathered on people and what will go into that registry of information that's gathered. A person may be absolved of something but find that they're asking things like blood type and sexual orientation and issues of race, these kinds of questions. I wonder if you have any sensitivity—I know you must have sensitivity to it. Do you have any comment on that kind of concern?

**Mrs Anstett:** This is an issue that we have considered carefully, but we feel the interests of privacy are addressed by the fact that the investigation committee, where the complaint must first be raised, is not open to the public. We also feel that as the College of Teachers will be under the same stringent guidelines that are contained in the Statutory Powers Procedure Act that regulates the other administrative justice tribunals in Ontario, it is fitting that a College of Teachers should work or operate under the same guidelines as the other administra-

tive justice tribunals. We do not see a reason for exempting the college in that way.

1600

**Mr Floyd Laughren (Nickel Belt):** I probably shouldn't have to ask this question, but I will anyway. Are any teachers or trustees allowed on the parents' council?

**Mrs Anstett:** On the Ontario Parent Council?

**Mr Laughren:** Yes, your council.

**Mrs Anstett:** We have a trustee.

**Mr Laughren:** A trustee?

**Mrs Anstett:** We have a trustee. Our chair is a trustee.

**Mr Laughren:** Help me out again, then. I'm glad I asked that question. Are you here today representing the trustees or the parents? What hat are you wearing today?

**Mrs Beyak:** Thanks for the question, Mr Laughren. I'm first and foremost a parent. I've been involved in education since 1982, for two years in the classroom, from 1982 to 1984. I saw things in the classroom that I didn't like. I didn't see teachers with the power they deserved or needed. I joined the home and school association, and from 1985 to 1990 I represented the West Rainy River District Home and School Association as their delegate. I became a trustee in 1990. I'm still a trustee with the Fort Frances-Rainy River Board of Education.

Throughout that time I wrote letters to Dave Cooke, the Minister of Education and Training, and suggested to him that he might like to have a parent trustee on the parent council so that work done at the Ontario Public School Boards' Association wouldn't be duplicated, the masses of paperwork that we all know and love so much.

**Mr Laughren:** Did he even respond to you?

**Mrs Beyak:** Yes, he did. He wrote back and said it was an excellent idea, told me to write to the parent council, which I did, and when the new minister, the Honourable John Snobelen, became the Minister of Education, he thought it was a good idea as well and appointed me as chair of the parent council. I believe my interests and my educational background for all these 14 years stand me in good stead. I am a parent first and foremost, and this is the Ontario Parent Council.

**Mr Laughren:** So there are no rules against having a trustee?

**Mrs Beyak:** No.

**Mr Laughren:** And presumably no rules against a teacher being on the parent council either. Am I right?

**Mrs Barbara Smith:** No, there aren't. Our bylaws do state that anyone who is employed by a school board cannot sit on the Ontario Parent Council. Trustees are not employed by boards, but teachers are.

**Mr Bud Wildman (Algoma):** They're paid by the boards, aren't they?

**Mrs Smith:** But they're not employed by boards, and I think that's where the distinction is. That's our understanding.

**Mrs Beyak:** They're accountable to the public, not to the board.

**Mr Laughren:** The last thing I'd want to do would be to belabour this. However, I do wonder why there hasn't been a clamouring by the teachers' profession that if trustees can be on the parent council, why in the world

can't teachers be on the parent council? I find that strange.

**Mrs Anstett:** I guess you'd have to ask them that, Mr Laughren.

**Mr Laughren:** Yes, I guess I will. I'm somewhat taken aback by this. So there's no limit. What's the total makeup of the parent council? How many on it?

**Mrs Anstett:** There are 18 members.

**Mr Laughren:** So 18, and one trustee, only one; that's the chair.

**Mrs Anstett:** That's correct.

**Mr Laughren:** So there could be more? There's nothing to stop the floodgates from opening and having any number of trustees on the council. Is that correct?

**Mrs Anstett:** With all due respect, Mr Laughren, I'm having trouble understanding how this is impacting on Bills 30 or 31.

**Mr Laughren:** I am taking the comments of the parent council seriously and their representation to this committee very seriously, and I think it's nice to know where they're coming from. Thank you, Mr Chair.

**Mrs Beyak:** They're coming from parents.

**Mr Wildman:** I would hazard a guess that some teachers are also parents.

In your presentation, you indicated that you were happy with the legislation and so on. I'm just wondering: A number of representatives of boards as well as other groups who have appeared before us, as well as teachers, have indicated that they think there might be or should be a division between the function of the discipline committee, which deals with alleged misconduct investigations and so on to determine whether a teaching certificate might be lifted, and questions around fitness or capacity to teach. For instance, an individual who is a teacher might become incapacitated through some disorder, mental or physical, that might inhibit or make it inappropriate for her or him to continue as a teacher but that certainly would not be, or should not be, I would think, a matter for discipline.

If someone develops a mental disorder, for instance, it's not a question of discipline, so the question is whether there should be an additional, separate committee to deal with questions of incapacity, as opposed to just the single disciplinary committee. I'm wondering what the parent council's view might be of that.

**Ms Anstett:** If it was clearly defined for us, I don't anticipate that there would be a problem on the Ontario Parent Council in considering a separate committee to deal with that.

**Mr Wildman:** One of the concerns that has been—

**The Acting Chair:** Your time has expired, Mr Wildman. We've reached the limit. I'm sorry. I'd like to thank the Ontario Parent Council for appearing.

I'll ask our next presenters, the Ontario Secondary School Teachers' Federation, to make their way forward.

While we have this shift, Mr Glenn, our research officer, has some information for the committee members that he can perhaps let you know about now.

**Mr Ted Glenn:** You should have two documents in front of you from the legislative research service. One is the initial summary of proceedings thus far. A second one is a brief in response to Mr Wildman's request for

information on the role of other bodies in cases of allegations of sexual misconduct of members of the college. If there are any questions about either of those, contact me. If there are any questions regarding the brief on sexual misconduct, Mr Kaye is available for questions as well.

## ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

**The Acting Chair:** We welcome the Ontario Secondary School Teachers' Federation.

**Mr Earl Manners:** On behalf of OSSTF members—and many of their local leaders are in the room here today—we welcome the opportunity to present our views regarding Bill 30 and Bill 31 to the social development committee. Given the time constraints, I plan to keep my introductory comments brief so that the majority of time is spent on substantive issues. I know the committee members want to ask questions.

With me today is Jim McQueen, our vice-president of educational services; Malcolm Buchanan, general secretary; and Maurice Green, our legal counsel.

I believe committee members have been provided with our briefs regarding Bills 30 and 31, as well as some related documents. I want to emphasize that they are consistent with the positions and recommendations that we as an organization have forwarded to ministry officials during various meetings with them over the last few months. Let me say once again that we're prepared to meet with ministry staff again if it would prove helpful in dealing with this matter in an expeditious way.

You have a copy of our brief. I'm going to follow the introductory comments that are in it to some extent, but not entirely, to save time.

The spectre of an Ontario College of Teachers was last raised in 1983 by the Conservative government of William Davis. At that time, the pro tem registrar opposed the establishment of the proposed college on behalf of the teacher affiliates. Premier Davis announced that no model of self-governance should go forward without the enthusiastic endorsement of the teaching profession, and the Premier was as good as his word.

The present proposal for a College of Teachers finds its roots in For the Love of Learning, the final report of the Royal Commission on Learning. Despite the fact that teachers had never asked for a college and were not asked to comment on the concept at royal commission hearings, it was none the less included as one of the recommendations of the royal commission.

Since the announcement of the proposed College of Teachers in April 1995, the Ontario Secondary School Teachers' Federation has opposed such an institution as wasteful, unnecessary and the establishment of yet another bureaucracy to impede classroom teachers from focusing on their main objective: teaching the students of Ontario.

In fact, in November 1995, OSSTF conducted a workplace democracy vote, as promoted by the present government in its Bill 7 legislation, and fully 94.8% of our members, in a secret ballot, rejected the model of self-governance—and I use that term loosely—presented in The Privilege of Professionalism report.



I want to emphasize one thing, however. OSSTF's objection to the college should not be construed as opposition to accountability to the public. In fact, OSSTF welcomes public involvement in OTF's relations and discipline committee and has supported OTF's offer to have public representation on this committee for a number of years, going back to Education Minister Tom Wells, an offer which successive governments have failed to act upon. We would have no problem with an expanded and expedited relations and discipline process to deal with gross occurrences which place students in jeopardy. We have put that forward with some suggested amendments to the Teaching Profession Act, and you have a copy of it before you. That is the direction that both the Alberta government and the Saskatchewan government followed to deal with these issues. If it's good for Ralph Klein, I wonder why it wouldn't be good for Premier Harris.

**1610**

Along with the Ontario Teachers' Federation and the other affiliates, OSSTF has provided the Minister of Education and Training with a model of self-governance that teachers would support. OSSTF and its membership remain strongly opposed to the imposition of any College of Teachers. With respect to Bill 31, we want to identify some of the following major concerns we have with the legislation none the less.

First of all, representation is the key issue in terms of assuring teachers that this college is as much for them as it is for the public. I believe that if teachers are not in the majority, as they are in the two other colleges in existence in the world, then it will be viewed negatively by teachers forever. Subsection 4(2) states that classroom teachers will not be in the majority on the governing council, so the profession then, by any definition, is not self-governing.

Other colleges have a much higher proportion of the council who are elected from the membership. The British Columbia College of Teachers has 15 elected members, which represents 75% of the council. The Ontario College of Nurses has 25 elected members, which represents 76% of the current membership of the Ontario College of Nurses. The Association of Professional Engineers of Ontario has 20 elected members, which represents 63% of the members of its college.

How is professionalism enhanced, which is what this is supposed to be all about, when teachers are in a minority in a college designed supposedly to be self-governing? It isn't, and the legislation must ensure a significant majority of the council is elected by teacher representatives.

Second, OSSTF fundamentally believes the college should deal only with professional conduct and teacher certificates. Subsections 25(2) and 28(3) have other references to teaching duties and competence. That responsibility should be left where it can be dealt with most effectively—at the school board level. The legislation, as a result, even ignores the recommendation of The Privilege of Professionalism that complaints which fall under the legal authority of school boards in the employment of teachers be excluded from the college's authority to investigate. We would urge that those references in 25(2) and 28(3) be removed.

Subsection 28(3) goes even further than many would expect and defines incompetence as including "a physical or mental condition or disorder" that makes the member unfit to carry out professional responsibilities. In fact, however, the Human Rights Code requires employers to accommodate disabilities, not discriminate against them, and so classroom competence for teachers should remain the legal responsibility of school boards to reiterate.

The third point: The college should not be responsible for what is referred to as ongoing education, and it's referred to in a number of sections throughout Bill 31.

Mandatory recertification in the form of control over professional development is included in this legislation. All members must file personal growth plans and complete requirements for ongoing education to the satisfaction of the college or risk having their certificate suspended or revoked. Can you imagine individual filings of 150,000 growth plans and the bureaucratic nightmare that will create? It is really credentialism gone mad. Already, in anticipation of Bill 31, school boards are divesting themselves of their professional development responsibilities, so they're undermining even the laudable goal of professional growth. In Bill 31, proposed professional development unfortunately is a discipline rather than effective personal growth.

Professional development needs are best determined and monitored—there's all kinds of research to prove this—at the local level by school board and teacher affiliates. In British Columbia, for example, where they tried to implement professional development—as they have said, I believe, to this group, it doesn't work.

You've already heard concerns raised by the privacy commissioner that the current legislation violates privacy rights. The extraordinary powers to search, I think, violate those rights even further. I won't go into a long explanation of that.

Let me conclude by saying therefore that as currently drafted, this legislation is a mechanism to control the teaching profession, not enable it to govern itself. It is legislation modelled on other acts which are primarily designed for self-employed professionals rather than on legislation setting up other colleges of teachers. It totally ignores the unique need of teachers as employees with probationary and permanent contract status. Teachers are willing to provide accountability but cannot support Bill 31.

We urge you to consider our clause-by-clause analysis, our alternative legislation to the Teaching Profession Act and Bill Davis's advice. On behalf of the 50,000 members whom we represent, we thank the members of the standing committee on social development for their time and attention to our concerns.

If I could, just on Bill 30, I'll ask our general secretary to make a comment. I understand you're looking at both pieces of legislation.

**The Acting Chair:** It's your time.

**Mr Malcolm Buchanan:** Just very briefly on Bill 30, the Education Quality and Accountability Office legislation, we believe the Minister of Education and Training has the responsibility to carry out the functions described in the bill. The Ministry of Education and Training should remain responsible for evaluating the program



offered in elementary and secondary schools, assessing student performance and so on. Therefore, we believe that Bill 30 is not needed.

One final concern is in regard to the power of the Education Quality and Accountability Office requesting personal information within the meaning of section 38 of the Freedom of Information and Protection of Privacy Act and section 28 of the Municipal Freedom of Information and Protection of Privacy Act. We don't have time to go through it clause by clause, but we urge you please to consider our concerns as outlined in our brief. I think you will find they are consistent with the OTF position and other teacher organizations.

**Mr Patten:** You have obviously done an enormous amount of work, and it's good to see the non-legalese. Your legal counsel must have another kind of training. I appreciate it very much.

I will ask you one question. By the way, I think this is going to be very useful for the committee and certainly for us. Under the privacy concerns that you've raised, we had Tom Wright come before the committee, and we asked some questions and he replied. We asked him to reply to our concerns and he did, because our concerns were really the protection of privacy. We asked whether the Freedom of Information and Protection of Privacy Act would cover the gathering of information and protection for individuals who were the individuals on whom people gathered information, and he writes back in a letter—I just got this today so I have to get some legal advice here, but I'd be interested in your quick reaction. It says:

"The ministry explained that the act"—meaning the one I just referred to—"and its regulations generally exclude from their scope self-regulating professional bodies such as the College of Physicians and Surgeons and the Law Society of Upper Canada. Excluding the college from coverage by this act would be consistent with this approach."

My first reaction is that's worrisome. What is yours?

**Mr Manners:** It's worrisome to us as well, because there are provisions within the legislation which allow files on every individual teacher to be open to the public, and the kinds of information that could be collected would allow individuals perhaps to make or surmise various characteristics about individual teachers' personal habits and backgrounds, and that presents a very serious problem.

At the same time, they may be able to surmise various illnesses as well that individual teachers would have, and we believe that kind of information should not be in the public domain. What is at issue here is whether or not the teacher is acting professionally, not some of the other information. Unfortunately, because they are excluded from freedom of information, the public would be able to get access to that information, and while we would hope it wouldn't happen, it could lead to some very serious public comments that would hurt the reputations of individual teachers for a lifetime.

1620

**Mr Michlash:** Gentlemen, thank you for the presentation. As you know, I represent a northern riding, the furthest away from Queen's Park, and one of the things I'm hearing from teachers in general, and I guess from

members of your federation, is that the hearings are being held in Toronto and not travelling the province. Are you getting that feedback as well?

**Mr Manners:** Yes, we are. I believe many of our members were hoping to make presentations to this committee and sent in requests by fax to the clerk of the committee to have this group travel around the province so they could be heard. To try and address some of those concerns, we brought in some of our local leaders today to talk to MPPs and to be here for the hearing. Unfortunately, that's not an entirely satisfactory solution either, because all they can do is watch. Many of our local communities have specific concerns they would like to address as well with respect to representation and the role of the college in their community. There may be differences between northern Ontario and southern Ontario, for example.

**Mr Michlash:** Exactly, and I must say that John, from Sioux Lookout, did a good job when he came to us this afternoon.

One other thing I'm hearing as well is about the fee. Teachers are concerned about an additional fee being pushed their way. It's been referred to as another tax, and I've heard that. I'm just asking for some feedback you're hearing in terms of the \$90 fee.

**Mr Manners:** This is very much being considered by our members as a user fee. Right now the Ministry of Education is responsible for keeping the records of teachers, and now that is going to be downloaded on to teachers themselves to be responsible for the costs of it at a time when we're asked to show restraint ourselves in terms of our own demands at the collective bargaining table. It, too, will impose user fees perhaps on various professional development plans we may have. As you know, as I've said, school boards are already abdicating their responsibility for that in anticipation of the college. There's a great deal of concern about this being really just a transfer of costs from the Ministry of Education to employees.

**Mr Rick Bartolucci (Sudbury):** Just one question to Mr Manners: There is a myth out there that the teachers are afraid of scrutiny. Could you please dispel the myth for the committee by outlining just the type of scrutiny teachers come under presently.

**Mr Manners:** We are employees of school boards, so we're under the scrutiny of students every day, and that's nothing to take lightly, let me tell you. We're under the scrutiny of vice-principals and principals on a day-to-day basis and from superintendents and directors, as well as parents. The introduction of the new Ontario Parent Council at the local level, which we wholeheartedly support, is a way too to ensure consumer accountability, if we want to use the words of the minister. Those are a number of ways we're accountable on a day-to-day basis.

As well, school boards are responsible for evaluating their teachers, either on a yearly or bi-yearly or tri-yearly basis and we participate with them. In fact, we've helped develop evaluation models with school boards to ensure that our members are accountable for their actions on a day-to-day basis.

So we're not afraid of it at all and we wouldn't be proposing an enhanced Teaching Profession Act with

public participation for the last 20 years if we were afraid of public accountability.

**Mr Wildman:** I think it's interesting that we are here holding hearings on this piece of legislation when at this very same time in the House, as you can see on the television monitor, we are debating Bill 34, which has significant impact on education in this province.

You heard the exchange, I think, in the Legislature where it was suggested that the government might table amendments that it is contemplating to this legislation. You've had discussions with officials. Have you had any indication from the government what the amendments might be that it would bring forward after the input of everyone, and if so, are you in any way satisfied with some of the suggested amendments?

**Mr Buchanan:** The OSSTF through its legislation committee, which is made up of the general secretaries of all the affiliates, has spent considerable time with the drafters of the legislation. We have outlined specific concerns which are contained in our brief. It's our consistent position that has been presented to them. We have asked the drafters of the legislation as a result of over six hours of discussion with them what concerns they were prepared to put into proposed amendments to the legislation. They were unfortunately unable to give us any direction as to what amendments, if any, the government would consider tabling to address those concerns.

**Mr Wildman:** Perhaps the members of the government party will be able to indicate to the committee and to you what direction they're going. I think it would be helpful and useful for the rest of this week.

Just in regard to a number of issues you've raised, on the composition of the board, you've indicated that you would rather the legislation, if it is going forward, be drawn up similar to, let's say, the Ontario College of Nurses' in terms of the composition of public and elected members of the profession. Have you had any response from the government at all to that suggestion?

**Mr Manners:** No, we have not. The nursing profession in some ways is most like us. We are employees of an employer, they of the hospitals and our members of boards of education, and yet it is felt that they can be in control of their own college and that does not undermine public accountability in any way, shape or form. I don't know why the same would not apply to teachers.

1630

**Mr Wildman:** I don't have much time, so I'd like to ask a couple of other questions. You may have heard in the earlier presentation my question to the parent council. It's been suggested that questions around capacity or fitness in relation to mental or physical conditions or disorders should be separate from anything that might be construed as disciplinary. Would you accept that kind of change as helping to improve the legislation?

**Mr Manners:** We're suggesting that be excluded entirely, but if a separate fitness-to-practise committee was set up, we would go along with that, as long as the references to competence in 25(2) and 28(3) are removed and there would be a clear separation about fitness to practise versus competency.

**Mr Wildman:** We had representation from the Ontario Public School Boards' Association and also the Ontario

Separate School Trustees' Association and they raised questions or concerns about duplication between the boards' responsibilities as employers and the college disciplinary mandate with regard to alleged misconduct by teachers.

Their proposed solution was to have members of the separate and public trustees appointed to the governing board of the college. Do you share those concerns? If so, what is your reaction to their proposed solution?

**Mr Manners:** We certainly don't agree with their solution. That would put teachers in double, triple, quadruple jeopardy where issues of competence, for example, would be dealt with through the grievance arbitration procedure at the local board level with trustees participating in that. At the same time, our members could be referred to the College of Teachers where they would be tried all over again or concurrently.

That's something that should not happen. If school boards are going to exist in this province, they have certain responsibilities. They call that management rights as employers, and what should be retained as part of management rights is that whole issue of the employer-employee relationship. They're the ones that should be evaluating their employees and dealing with questions of competence, as they do now.

**Mr Wildman:** Finally, as you indicated, the British Columbia college representatives made a presentation to the committee via telephone link, and they indicated that in their situation, in questions of alleged misconduct and discipline, boards were required to notify the college, but then it went through the normal employee-employer relationship with arbitration, grievance, all those sorts of things, and when that was completed, then the college would consider whether or not the situation warranted the removal of a teaching certificate.

They had two exceptions to that. If there was a criminal conviction, then the college could act immediately. Also, I think if there were complaints from five other members of the college, in other words, five members of the teaching profession against a teacher, they said that was very rare, but the college could investigate immediately in that situation.

What is your view of the BC model as opposed to what is proposed in the legislation?

**Mr Manners:** That would be much better than what's being proposed here, and in fact it's current practice in this province under the Teaching Profession Act and the relations and discipline committee that exists already under that legislation. If something is being dealt with in another venue, under grievance arbitration, it does not go before the regulations and discipline committee until such time as it has gone through that court system.

As well, in our proposal here for amendment to this, we are suggesting that we streamline some of the procedures in the relations and discipline committee to deal with some of the issues that British Columbia is able to deal with and that Alberta and Saskatchewan have been able to work out with their teachers to expedite the process in those certain instances where there has been a conviction that would come under the guidelines of professional misconduct.



**Mr Skarica:** My question is to Mr Green. One of your objections to the institution of the College of Teachers is that you say it's wasteful and unnecessary. I'd like to refer you to the testimony we heard last week of Bernie Farber from the Canadian Jewish Congress. He outlined an example of a teacher who is one of your teachers.

I'm just reading from Hansard here that this teacher "employed by a school board right here in Ontario for almost 20 years was free to preach and publish what many considered to be racist views, albeit outside the classroom, and without censure.... He addressed rallies where well-known hatemongers were honoured and Nazi swastika flags, Ku Klux Klan and skinhead symbols were prominently displayed...."

"Over the years, complaints of fellow teachers and of the Jewish community were ignored." The teachers' union did not take any action even though their "constitution commits teachers to 'foster and promote the dignity of all persons regardless of race, religion and/or cultural origin.'"

Eventually, he was reprimanded, but even after that, he continued his activities and addressed neo-Nazi rallies and that type of thing. "Finally...two years to the date of the first complaint, the teacher was removed from the high school classroom." He, "however, remains employed today with the school board and teaches adult education."

Mr Newman from this committee asked this question of Mr Farber, "What assistance, if any, did you get from the teachers' federations?"

Mr Farber testified: "'Assistance' is not the word I would use. As a matter of fact, they threw up all kinds of barriers, which surprised us." He testified as follows: "We wrote to the Ontario Secondary School Teachers' Federation in the case of this teacher and we wrote to the Ontario Teachers' Federation in relation to this teacher. We pointed out to them, from their very own constitution, the obligation they have to ensure that teachers meet the standards necessary and specifically around anti-racism and the statements they have made. Not only were we not answered, but the teachers' federation of course supplied legal assistance and legal counsel to ensure that this procedure wound its way for two years."

I'm now going to ask you the question he asked the committee: Why would the teachers' federation not insist that their particular member adhere to their own guideline and their own constitution? Perhaps you could address that question.

**Mr Maurice Green:** I'd be happy to. Mr Farber is sadly uninformed as to what occurred in that situation. I had the dubious responsibility, given my religious background, of having to act on that situation, and the teacher was agreeable to me doing so. There's a handout we're providing you responding to those complaints.

Firstly, he doesn't understand the responsibility on federations to provide fair representation. I am personally aware that Mr Farber was advised very clearly by representatives of my client, the Ontario Secondary School Teachers' Federation, that there was such a thing as the Ontario Teachers' Federation, that if he provided and gathered his evidence correctly, he could file a complaint with that body, and in fact the OTF indicated it was willing to receive the complaint and act upon it.

As we note in our handout, the fault doesn't lie with the legal structures that exist. The fault lay with the

incompetence of the people who were involved in dealing with the situation.

As a further answer that's been easily supplied by the Supreme Court of Canada since its decision a couple of weeks ago on Malcolm Ross, the Malcolm Ross decision clearly stands for the proposition that if any teacher behaves in a manner such as Mr Ross, a school board has the clear ability to take legal action, to discharge, to discipline. In very strong terms, in my legal opinion, it would be very difficult, if the evidence is there, to successfully challenge that at arbitration. As a result of an arbitration board probably upholding the discipline or a discharge, that would then come to the attention of OTF, as it has in the past, and OTF would probably uphold the call for a suspension or revocation of certificate.

You don't need the College of Teachers to deal with those issues. Those issues could have been dealt with in the past, and have in other cases been dealt with. The fault, unfortunately, lay elsewhere in the processes, in the political pressures. It certainly wasn't coming from my client, which over the years has fought tooth and nail for the rights of individuals, for a more pluralistic and tolerant society. But the reality is, you have to have the evidence and you have to have complainants, and if they don't come forth, if they're not willing to come forth, then I'm afraid that's not my client's responsibility.

**Mr Skarica:** Is that teacher still teaching?

**Mr Green:** I'm advised that the school board involved did place him teaching adults. Whether there's any evidence of him still engaging in the type of conduct of which they complained, I'm not aware. I suppose if there was, the school board would respond, because the school board very clearly warned that individual that any further occurrence would result in disciplinary action. The controls are in place. They've been in place for a long time and the College of Teachers is not going to add one iota of assistance in this.

**Mr Skarica:** Mr Farber as well indicated that this teacher is still a member of the OSSTF. Is that the case?

**Mr Green:** You have no choice but to be a member of OSSTF, because the Teaching Profession Act requires that every teacher who is teaching under contract be a member of OTF, and the OTF membership bylaws require that they be a member of one of the affiliates. There's mandatory membership. Neither my client nor any of the other affiliates have the legal ability to throw a member out of membership.

**Mr Skarica:** Apparently there was considerable publicity regarding the conduct of this teacher. Did your union take any initiatives itself to look into the matter, notwithstanding your own constitution?

**Mr Green:** They looked into it. They assisted teachers who were opposed to this particular teacher against whom the complaint was laid. They helped them to the extent that they were willing to have assistance. Everything was done appropriately, as far as I'm concerned. I had a very real, personal feeling in that since I'm active in the Jewish community as well. I happen to have a different view from Mr Farber of what civil rights in this society are about, but that's for another day.

**The Acting Chair:** Our time has expired. Thank you very much for your presentation.



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# ONTARIO CATHOLIC SUPERVISORY OFFICERS' ASSOCIATION

**The Acting Chair:** We'd like to welcome next the Ontario Catholic Supervisory Officers' Association.

**Mr Joseph Rapai:** My name is Joseph Rapai. I'm from York region. I'm the president of the Ontario Catholic Supervisory Officers' Association. I'm pleased to introduce our past president, Eleanor Shannon, from Metro separate, and Mearl Obee from Simcoe, who is vice-president and chair of one of our standing committees, the English Catholic directors of education. The three of us will be making the presentation this afternoon. I would also like to acknowledge the efforts of Paul Blake, our executive director, who is with us as well this afternoon.

We thank you for this opportunity to speak to you to support Bill 31. Along with our generally positive support, we will be recommending certain amendments and changes in procedures.

The Ontario Catholic Supervisory Officers' Association represents approximately 200 directors of education and supervisory officers for the 43 Roman Catholic separate school boards in the province. In addition, we have approximately 20 associated members from l'Association des agents et des agents de supervision franco-ontariens, ASFO, who hold joint memberships with us.

Supervisory officers are teachers. We began our careers as teachers and, with the exception of supervisory officers of business affairs, we must hold an Ontario teaching certificate. Our role in the profession is that of supervision and public accountability.

The legislation states the duty of the proposed college in carrying out its objectives to be a "duty to serve and protect the public interest." Our mission, specifically, is a mission of "Called to lead, called to serve" for the association. That has been, and will continue to be, a duty that supervisory officers have had in legislation in terms of serving and protecting the public interest. We are aware of the enormity of the task and the many facets that can only receive periodic attention from our limited and decreasing numbers. May I emphasize that our association has fallen 200 in number.

We welcome the whole profession itself assuming a legislated duty in areas of certification, professional development and standards of practice through representatives serving on a board for those purposes. Teachers are equipped by education, role and position to exercise exemplary self-leadership.

We have learned that our genuine attempts at recommending what the public wants are not always those expressed, necessarily, by our trustees, our parents and the community at large. To us, it seems eminently appropriate that the public we serve shares the same forum with us as the profession organizes and governs itself to carry out our sacred trust.

A foundation of Catholic education philosophy is the primacy of parents in the education of their children. The proposed college almost recognizes that principle through its balancing of elected and appointed members.

We have had to weigh what the proposed college means to us. It does mean we will have one seat on a 31-member board. It does mean we will be subject to the lifelong learning requirements established by the college. It does mean we will be subject to professional standards largely set by others, including in large measure those whom we supervise. We have had to weigh how the complaints, investigation and discipline powers will affect us in such a College of Teachers.

We have concluded that the college, a concept that has been advanced and studied for over a quarter of a century, offers considerable improvement over present standards and practice.

We understand Bill 31 to be enabling legislation. The intent is to leave much of the detail to the first and subsequently constituted colleges. This seems appropriate. It posits the responsibility for those details with the profession and the college that governs it.

As an association of Catholic educators, we expect the college to recognize that the Roman Catholic separate school system educates approximately one third of the province's student population by the express will of the parents who make that choice. We too expect the college to recognize that a Catholic education both adds specific subject content in the form of religious and family life education and also an added dimension to every aspect of the curriculum mandated by the province.

The question is always asked, "Where and how do you spend a buck for the biggest bang?" The teacher in the classroom is pre-eminently the curriculum, the values and the predicted outcomes of the education enterprise. We have tried and tried again to improve the standards and the relevancy of the pre-service program. Mountains of written curriculum are developed to address the curriculum content. What assurance have we had that busy teachers are familiar with and use it? We know the best way to ensure the latter is to spend in-service time with teachers on the curriculum they will use.

We welcome too that those teachers, at least 50,000 in the province, not members of OTF, will have the privilege and the requirement of this level of professional qualifications.

I would like at this point to ask Eleanor Shannon to highlight the professional development session.

**Ms Eleanor Shannon:** We're well aware that most teachers in the province go well beyond what will likely be the requirement of lifelong learning. However, we do see the college as an opportunity for all teachers, in all areas of the province, to have partners in obtaining and in providing professional development on relevant issues in a timely manner. We all recognize that the best and most effective kind of professional development occurs when teachers are engaged in identifying their own needs and indeed in being involved in the development of a program to meet those needs.

1650

We recommend that the College of Teachers build on that abundant wealth of professional development activities that already exist through the teachers' federations, the faculties of education, local boards and various curriculum consortia which have been developing programs all along. OCSOA sees the College of Teachers as

an avenue to continue the collaboration that exists presently, but it will also be an opportunity to provide a more equitable distribution of resources in all parts of the province. This is the first time that a provincial body will have a clear mandate to provide professional development. It also sees an opportunity to recognize what is happening now and to affirm the leadership that's being taken at the local level.

The Catholic school system is certainly willing to work collaboratively with other boards, where it is possible, as they have always done, but there is also a need to provide programs for teachers that are unique to the needs of Catholic schools in the area of family life and religion. We already have a model: the Catholic Community Delivery Organization. It is an example of a delivery agency that's already proven to be successful with the supervisory officers' qualification program.

Presently, the certificate program in Catholic leadership for Catholic administrators, which is offered by the Institute for Catholic Education in cooperation with the Catholic health organization and St Michael's College and in cooperation with Regis College, has been designed to meet the learning needs of administrators of Catholic education and health institutions. It attempts to balance rigour with attention to the everyday, practical issues that are being confronted by leaders in these two areas. Candidates in the program—25 of our members are presently involved—are required to take 12 modules, some that are required and some that are elective.

Meal Obee is going to talk about the investigation and discipline committees.

**Mr Meal Obee:** It's always regrettable that any professional organization must take a look at a complaints, investigative and disciplinary type of structure within its organization, but I think it's key to the success of a professional group to have at least addressed that. If we look at what's happened across the province in past years, the Ontario Teachers' Federation has provided a vital service to the Ministry of Education in that regard, I believe. If you look even superficially at the number of cases that have been referred to the Ontario Teachers' Federation, I think you will find that there were very few, certainly relative to the size of the teaching profession. That speaks to the few generating, I presume, this part of the legislation, but one part that needs to be addressed.

We would like to say in a very firm and unequivocal way that as supervisory officers it has been our experience that the vast majority of teachers are tremendously committed, they're inspired people, they work very hard and they have a passion for their profession which I think goes beyond what one would normally expect.

There are a few people for whom we need to review whether or not the actions are appropriate to the profession. The teaching profession is unique in that it reaches into every home across the province where there are children. We've all been to school and we've all had that kind of interaction and have an opinion on how the profession should conduct itself. I think it's out of the passion of teachers that this legislation will provide a vehicle for the formation of and the setting of standards that are yet unnamed but will come from it.

We would provide one very real cautionary note around this section of the legislation, that in any profession it's our belief that the majority of people who are making judgements around professional competence must have an intimate knowledge of the profession and, in our view, should be practising in that profession. Therefore, we believe that the majority of a discipline committee should be practising teachers who are working within the profession at that time.

We believe too that this legislation reaches out and provides some public security with regard to groups that have not in the past been covered, certainly not members of OTF in a broad sense. Private schools, of which there are many, and the teachers who are in those we believe are well covered in this legislation. They have teaching certificates, and therefore more public accountability will be brought to bear.

We believe as well that it's critical that the current regulations that are in place which provide the requirement and the authority for supervisory officers and principals to be involved in the evaluation of teachers at the local board level must stay, that they cannot be removed. I don't think this legislation is designed to do that evaluation right at the board level, and it should clearly be viewed from the point of view.

Generally, we believe there is a need for a very small number to keep our profession as highly competent and as proactive as it has been in the past. The introduction of new people or a broadening of the coverage of accountability is welcomed, and involved in that for the first time is the group we represent: supervisory officers.

With that, I'll turn it over to our Chair and let him summarize.

**Mr Rapai:** We see the bill as an opportunity to convey to the public of Ontario that educators are doing an excellent job. We stand by our actions, and supervisory officers will stand up with the rest of the teachers to demonstrate that an excellent job is being done and that we're committed to lifelong learning. That concludes our presentation.

**Mr Wildman:** We are also dealing with the other bill, the accountability office. Does your organization have a position with regard to that legislation?

**Mr Rapai:** It is supportive of the direction to measure the accountability of all the educators and ourselves in terms of ensuring that the outcomes in the educational context are the best we can expect for the taxpaying public.

**Mr Wildman:** We had representation from the Ontario Separate School Trustees' Association as well as the Ontario Public School Boards' Association in which they expressed some concern about the other bill, the college, in terms of its investigative authority with regard to alleged misconduct perhaps duplicating the responsibility of boards as employers. They suggested that one way to avoid that was to have representation on the board of governors from trustees, which I found to be an interesting proposal.

On the other hand, we had a description by telephone connection of the British Columbia model from representatives of the college there, in which they indicated that if there was an alleged misconduct that was being



investigated by a board, the board had the responsibility to notify the college and then to carry out its normal employer-employee process, which might involve arbitration and so on all the way through, prior to the college considering whether or not a certificate should be lifted. Are you concerned there might duplication and, if so, is the BC model an approach that might be followed? What is your view on this?

**1700**

**Mr Obee:** The BC model certainly has some merits, but I don't feel our organization is concerned with the potential for duplication. I believe the college should be working with boards, but it's conceivable that there will be some incidents that might want to be acted upon at the professional standards level while still being investigated and going through the collective agreement process. I see the two as separate, but your cautionary note, that there has to be some focus brought to the question of how those are coordinated, I think is well taken.

**Mr Wildman:** You might have a situation where a victim or a witness might have to testify in two processes, which might be very difficult for that individual, as well as the teacher being subject to two processes.

There's also been concern expressed by some teachers and some representation by the privacy commissioner about the possible problems in terms of protection of privacy. Are you satisfied with the provisions in the legislation that will properly protect the privacy of members of the teaching profession with regard to personal information that might be collected and might be available to the public through the registry?

**Mr Obee:** I must admit I haven't focused on that part of it. I know there's always a concern when there's an investigative procedure as to how far and what kind of access people have. Beyond that, I haven't looked at it, and I don't think the other members of our panel have, from the perspective you're talking about.

**Mr Trevor Pettit (Hamilton Mountain):** Thank you very much for your presentation. We've heard from the various federations that in their view supervisory officials are not real classroom teachers, and obviously, from page 1 of your presentation, you're not in agreement with that. I just wonder if you could extend it a little further and define for us what the term "classroom teacher" actually means to you.

**Mr Rapai:** We see ourselves as contributing to education in Ontario as educators first, by holding an Ontario teacher's certificate. We come from those ranks. We'd hope that our service in the classroom and our assignment to positions of responsibility are a result of the merits of our work. As a result, I think in this context we contribute in a supervisory, accountability level. We would work well in enhancing the professionalism of teachers who are principals, teachers who are classroom teachers, teachers who are supervisory officers, and I think all of this is very essential. If I could add, in the context of directors of education being able to be in the leadership decision-making, a sense of having come from the classroom, which governs all of us, is a very positive step.

**Mr Pettit:** Are you of the opinion that parents should have some say in determining or confirming whether or not someone is a qualified teacher?

**Ms Shannon:** I believe parents will have seats on the council which will help to determine. If you're talking about the investigative or discipline committees, we are recommending that would be a majority of teachers, but certainly the other public would be represented on those committees, and as such parents would be involved in that.

**Mr Dan Newman (Scarborough Centre):** Just to make sure I heard that correctly, do you believe that the members of the Ontario Catholic Supervisory Officers' Association today consider themselves to be classroom teachers?

**Mr Rapai:** I believe the fact that we hold Ontario teachers' certificates and that we're advocating in our capacity as supervisory officers assists the teacher in the classroom by the types of decisions and support we're called to give. The decisions we assist and the service we provide are enhanced by the fact that we are classroom teachers. Whether or not we are physically in the classroom is another thing.

**Mr Newman:** Given that answer, do you believe that classroom teachers are in the minority or in the majority of board members of the College of Teachers?

**Mr Rapai:** I think in this instance it would be important to have, as the first object of the College of Teachers as forefront, accountability to the public, an accountability that services are being delivered. In terms of how membership is determined, I think all the voices have to come together in a group to ensure that educational quality is there.

**Mr Newman:** So would you say the classroom teachers are 14 of 31 or 17 of 31?

**Mr Obee:** They're 17 of 31 if you're including the supervisory officers.

**Mr Newman:** I'm asking for your answer. Do your members consider themselves to be classroom teachers? Because I'm hearing different things here. Some are saying your members would not be classroom teachers; others are saying you are.

**Mr Obee:** I think we understand the question, and the question is a difference in the use of "classroom teachers." I'm not sure that, for instance, a principal is a classroom teacher, but no one would argue, I think, that they directly impact the classroom. What some are saying is supervisory officers don't. I have a teaching certificate. It's required in my job, since I'm a director of education, that I have a teaching certificate. From my point of view, I would say I am not a classroom teacher, but I am a teacher, so teachers make up the majority.

**Mr Newman:** Teachers make up the majority of the board?

**Mr Obee:** Yes.

**The Acting Chair:** We'll move to the official opposition.

**Mr Miclash:** Thank you for clearing that up for us in terms of the supervisory officer and classroom teacher, because that was one of the questions I had as well in terms of the makeup of the governing body.

What I'm looking for, and I asked the last group a question regarding this as well, in terms of the actual consultation that took place in the drafting of Bills 30 and 31, was your group at all consulted and, if so, in which way?



**Mr Rapai:** We have been fortunate enough to have opportunity to give input on a number of occasions, and we look forward to the opportunity in subsequent action for further input.

**Mr Patten:** I have two quick questions. One, under the section "Investigation and Discipline Committees," it says, "It is regretted that the...College of Teachers is burdened with the necessity of a complaints investigation and discipline procedure," but you don't go on to suggest whether it should be taken, reduced, modified or as it stands. I happen to agree with your thesis. It seems to me it's unduly cumbersome, and it could by virtue of such attract all kinds of attention and end up being burdensome to the college. Would you agree with that?

**Mr Obee:** I think it will be critical, the regulations and the procedures that come out to lessen the burden. The regrettable part that was spoken to was it's regrettable we have to put anything in at all, but we realize real life speaks to a different spirit than what we would hope to have. We would agree that it should be as simple and straightforward as possible but that it must be effective, because the mistakes we make in the teaching profession strike at the heart of our very young children in many cases—simple but effective.

**Mr Patten:** There's a clarity of recommending that the majority of the members on the discipline committee be, without doubt, practising teachers, but you didn't say that in terms of the governance, in terms of the college itself. Do you feel that wasn't necessary to say or would you be prepared to make the same statement?

**Mr Obee:** I think you'll recognize that supervisory officers—

**Mr Patten:** Very cautious people, I know.

**Mr Obee:** They walk the line between the reality of their profession and the reality of the political entities. I think in our discussions around that very question what we said was the legislation is a political response to the realities in our society and some of the pressures that are out there. Given that response, I think the legislation is crafted in a way to satisfy certain of the imperatives in our society and meet the professional needs. You're not getting the answer you want, I know, but—

**Mr Patten:** And you're not even an elected official. My goodness.

**The Acting Chair:** Thank you very much for your presentation. It's much appreciated.

1710

#### ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION

**The Acting Chair:** We ask the Ontario Public School Teachers' Federation to come forward, please. Good afternoon and welcome.

**Mr Reg Ferland:** I'm Reg Ferland, the president of the Ontario Public School Teachers' Federation. To my left is the general secretary of the Ontario Public School Teachers' Federation, Dave Lennox, and to his left is Marg Couture, the staff officer in charge of teacher education at the federation.

Given the short time allocated for presentations, OPSTF will focus today on Bill 31, one of the two bills

under consideration by this committee. We would, however, like to indicate that we support the amendments to Bill 30, legislation to establish the Education Quality and Accountability Office brought forward by the Ontario Teachers' Federation.

I would also like to convey my concerns that these hearings have not provided sufficient time to hear from individual teachers who have expressed the desire to make a presentation. We understand there is a long waiting list of teachers who would like to appear. It is unfortunate that they will not have the opportunity to speak directly to this committee.

The government began by saying that a College of Teachers is something that teachers want and should embrace. I believe there is no one here today who would now suggest that teachers feel this is a positive move for their profession.

Teachers are told that the college will raise the status of their profession. We believe that teachers went through the process of professional recognition over 50 years ago when the government of George Drew enacted the Teaching Profession Act. This act establishes a set of professional standards and duties for teachers. It also outlines a process for disciplining members.

Teachers are also told we should have a college because one exists for doctors and lawyers. It is inappropriate to compare teachers to these two groups who are by and large self-employed.

Teachers do not need a college to be accountable. Teachers are accountable to parents through parent-teacher interviews and report cards. We are accountable to principals who administer the school and evaluate staff. We are accountable to our employer, who can terminate our contract. Finally, we are accountable to the Ontario Teachers' Federation and to the Minister of Education and Training through OTF's relations and discipline committee and the minister's power to remove a teacher's certificate.

This federation is offended by the paternalistic nature of the proposed college, and we do not believe that Bill 31 truly provides for self-governance. Practising teachers will not be trusted with a majority, say, on the governing council, nor will they be given the privilege to manage their own professional development. In both these areas the proposed Ontario model lies in stark contrast to the operation in British Columbia, the only other teachers' college in Canada.

In addition, OPSTF has grave concerns about the impact that Bill 31 will have on teachers' access to natural justice and the rule of law on the protection of their personal information. The operation of the discipline committee, the powers of the investigator appointed by the registrar and the failure to subject the college to the provisions of the Freedom of Information and Protection of Privacy Act mean that teachers stand to lose a number of existing legal protections.

Given the concerns I've outlined, it is no wonder the vast majority of teachers feel that the establishment of a college is a punitive move on the part of the government. Instead of imposing the model of Bill 31, OTF and the five teacher affiliates have proposed an alternative model to this government whereby the OTF would assume the

key self-governing functions. We would be prepared to discuss this proposal further with the committee.

Before we look at the specifics of Bill 31, I would like to state that OPSTF fully endorses the amendments brought forward by the Ontario Teachers' Federation. The purpose of this brief is to outline those aspects of the legislation which are the most disturbing to our members.

I now would like to defer to our general secretary, Dave Lennox, to speak to some of the specifics of our brief.

**Mr Dave Lennox:** Thank you very much, President Reg. I'm going to start on page 4 of our brief. I'm not going to read it to you but I want to speak generally to each section so that we have time for questions at the end of this.

I'd love to have a bit longer time to really get at some fundamentals of this, but I want to go back to a couple of comments that need to be made at the beginning. First of all, the fundamental flaw with the College of Teachers as proposed in Ontario is that the college is being brought about without the full involvement of the Ontario Teachers' Federation and the affiliates from the beginning. It was a government initiative. It did not have representation. It has come to this stage without the involvement of OTF and the affiliates, and yes, we took the position that we were opposed to it from whence it came, that there were all sorts of problems that developed with it.

The bill itself developed, I'm going to suggest, as a hodge-podge of a combination of other bills, and when you try to put them together, they do not mesh properly. They certainly do not mesh properly on top of all other legal processes and on top of the Education Act and regulations. I'll come to that when I get to duties of a teacher. But that conflict and that fundamental flaw at the very beginning has led us down a very rocky road with regard to the act. We have had, as you heard my colleague Malcolm Buchanan state, six hours meeting with government officials to discuss the problems in the act to no avail. If there are amendments forthcoming, we certainly have not heard about them.

I'll start with the objects here, and the first thing we'll note is that in the other acts dealing with professions there are five or six objects. You start to see the controlling nature from the very beginning when there are 11 objects for the College of Teachers. So we've gone and looked at all the other objects and done some picking and choosing.

We end up having a conflict here and the conflict is between object number 1, which regulates the profession of teachers and governs its members, and you'll notice the verbs "regulates" and "governs," and then you come to the next object down the page which talks about promoting the profession. So you end up with a regulatory governing structure and a promoting structure and there won't be enough time to talk about some of the things that the college is going to get to do on behalf of promoting the profession.

You've heard an awful lot about ongoing teacher education programs, and we just have to reiterate our concern with regard to that. We think that approving additional qualification programs and approving other

agencies in the province of Ontario offering quality education growth programs is acceptable, but the accreditation and the recertification is certainly not acceptable.

With regard to the structure on the governing council, you've heard a great deal about the numbers, and I'm sure it's one that you will take very seriously into your deliberations. I want to state that the previous Minister of Education has stated that you cannot give the majority of the council to the teachers of the province, because the federations will take over. With all due respect to the previous Minister of Education for several other of his very noteworthy initiatives, this time he has it wrong, because the teachers in this province are professionals and would get on with running a College of Teachers as professionals, with majority representation on the governing council. That has been seen from the British Columbia model as well.

#### 1720

With regard to ongoing professional development, I think this aspect of public accountability that is being stated as if teachers now did not involve themselves in professional development is the one that most hurts teachers around the province. We quote in our brief with regard to some of the activities that teachers involve themselves in. OPSTF for many years has been the leader in offering professional development courses. We offer right now seven credit courses throughout the province.

We have had 26,000 teachers take these credit courses. It's on their own time, at their own expense. They may add them towards their credentials, but the fact is that they line up to get into these courses. This isn't counting board professional activity days or seminars or other in-service activities or university courses or additional qualification courses.

It seems to me that this is a critical issue. If you're going to have a College of Teachers, you have to decide what the cornerstones of a College of Teachers are. If one of them is to be a body that can remove a teaching certificate from a teacher, let that be a cornerstone; that is, we want teachers who are professionals. When we come to the ongoing professional development aspect, if that is to be a cornerstone, I think we don't have a self-regulating body; what we've got is the commencement of a College of Teachers that puts teachers more into servitude than into being a self-governing body. I think this is the one that is most difficult for us.

I note also with interest, with regard to powers of the minister and with regard to a self-regulating body, that we have a minister who is still in control of the College of Teachers. You'll notice under section 12 that "the minister may require." No other profession in Ontario has that word in the legislation. What they have is "the minister may request," but under the College of Teachers we deal with a specific verb, that "the minister may require" teachers to do this, "may require" the College of Teachers to do that. I find that to be an unacceptable phrase.

You've had quite a time discussing natural justice. We could take time and line up a lot of lawyers on each side of the table to discuss due process and natural justice, but I think it's important to remind ourselves about the number of levels that we're going to have involved here. Part of the problem I have is that if we could have sat



down with the government and the Ministry of Education and Training and talked about it and about double jeopardy and triple jeopardy and the process and who has the hearings and come to an agreement on the process, then we could have found a model that was more acceptable, but we provided input and they provided silence. I found that to be quite interesting.

We can have civil proceedings, we can have criminal proceedings, we can have human rights proceedings, we can have College of Teachers proceedings and we can have school board proceedings—grievances, arbitration, boards of reference—we can have all sorts of proceedings here. The question is, whose right is it to have at the teacher, at what time? This College of Teachers Act certainly is not clear as to when the College of Teachers starts in on its process.

We have continued down page 8, where we talk about entire sections being deleted, but we also support the OTF amendments; we have also done our homework to say if you keep this entire disciplinary process—it won't work as it is—please take a look at some amendments.

I want to talk for a moment about our concern with regard to fitness to practise. Again we start taking a look at what occurs under a discipline committee which is seen as a punitive committee. The word "discipline" does not come off as being a very positive word. When we talk about physical or mental incapacity, I believe we should stand back and take a look at the fact that we should be doing something else rather than disciplining these individuals; we should be providing the resources to get them better and get them into a safe haven while they do get better, not discipline them. We take a look at this.

The other aspect that has concerned me which has not been straightened out, to my way of thinking, is under the duties of a teacher. I find myself questioning the duties of the teacher staying under the Education Act right now, with the minister and under the College of Teachers, and then ours, the teachers', under the Teaching Profession Act. I think we're going to have a great conflict with that type of problem.

The powers of the registrar are interesting. Our members have had great fun with search and seizure, trying to find the one case that will require a search warrant from a justice of the peace to go into somebody's house, but not "after sunset and before sunrise." We have a great concern of finding that issue. If that's the case, why are the police not involved in this being a criminal charge? I find this aspect to be quite appalling. The other aspect of this is that we would certainly prefer to see a judge issue the search warrant rather than a justice of the peace.

I want to turn to protection of personal information. I heard it discussed a while ago and I'll try to give part of an answer now, but we may have to come back to it. I believe that teachers should be under the protection of section 38 of the Municipal Freedom of Information and Protection of Privacy Act. If I recall correctly, the royal commission was certainly covered and the Ontario Training and Adjustment Board is under that. I find it too wide and too far-ranging not to have teachers covered equally under that. I draw that to your attention.

I want to focus for just a moment on our occasional-teacher members. We represent about 15,000 occasional

teachers; I was going to give 30,000 as our total membership. Our occasional teachers have raised several questions with us, but they keep coming back and asking, "Would you explain to me again about my paying a full fee as an occasional teacher who supply teaches one or two days a year, and could there not be some other system of a prorated fee for occasional teachers?" That question has never been addressed. It's one that needs to be asked.

The other question that has to be asked with regard to occasional teachers is that they are individuals, qualified teachers, who find it more difficult to keep up with their professional development because we do not have somebody urging school boards to invite occasional teachers within that jurisdiction in to get professional development offered by that school board, yet the very next day those are the teachers who get called into the classroom to teach. I think we should turn our attention to that group of very necessary professionals within our system.

In conclusion, we don't think this College of Teachers is going to have a positive impact on the education system of Ontario. If the interests of the students and teachers in education were truly at stake right now, we wouldn't be dealing with the College of Teachers; we'd be dealing with cutbacks in education and solving other major problems that are alarming out there.

We would encourage you not to proceed with this bill to third reading but to send it back to the Ontario Teachers' Federation and to government officials so we can get some of the problems ironed out. If you're going to proceed to pass the College of Teachers in this province, it's imperative that we, members of the profession, be involved in ironing out some of the problems before it gets passed. You must remember that once it is passed, it is there and it will negatively affect the teaching morale in the province for a long time.

I'm prepared to answer any questions.

1730

**Mrs Janet Ecker (Durham West):** Thank you very much for taking the time to bring your concerns forward. I think you've made two suggestions, which I'm interested in, about bringing in incapacity in a different way than putting it under discipline; and I would agree that promoting the profession is not the purpose of the college. It is the purpose of professional associations or OTF or federations that the college's job is to govern and regulate.

Mr Ferland had a newsletter out earlier last year that talked about myth and reality. I have a couple of quick points; we don't have time to go through them all. The Regulated Health Professions Act has a section where the minister "may require" the college to do anything, which is fairly firm, I would say. Search and seizure powers are also identical; justice of the peace; the sunrise and sunset limits, those are the same. Many of the health professionals that are regulated under that legislation are also employed and subject to other procedures in hospitals and peer review and assessments or whatever, so I guess the challenges are the same.

I'm interested in your views about the association that is representing the professional interests of teachers, quite appropriately and properly. Is there not a conflict of



interest between that association doing that and that association also trying to represent the public interest, which is what a regulatory college, with the model that is being put forward, is supposed to do? Do you not see that as a conflict?

**Mr Lennox:** No, I don't. We've had a great deal of debate on that topic. We separate what I'm going to call the collective bargaining interest at the affiliate level from the interests of the OTF, of the umbrella organization. Teachers in the province have long been able to separate collective bargaining from what I'm going to call the relations-discipline aspect at OTF. I don't see that as being a conflict and I think that teachers should be in charge of their own college.

**Mrs Ecker:** Where does the public get to participate in the discipline and processes in that model, and where is it open to the public like regulatory colleges are?

**Mr Ferland:** If I might bring some light, I believe that the public has full participation and full access through the school boards. They elect trustees to represent them, to make the decisions. School boards evaluate teachers. They have policies; they have process on a cyclical basis. Whether it's every two, three or four years, a teacher must be evaluated, and if that teacher is not meeting the requirements, that teacher is offered help. If that teacher does not meet the requirements after that help, that teacher is counselled out of the teaching profession.

Trustees are the public. They are the elected officials who represent the community. This is a duplication of services, a duplication of evaluation, a duplication of discipline, if you will.

**Mrs Ecker:** Nurses don't see it as a duplication and they're subject to procedures within hospitals. They are also employed; they also have a regulatory college; they also have a professional/union organization. What I'm wrestling with is, why are teachers different from nurses, from midwives, from dietitians, from all the other groups that are under a similar kind of situation?

**Mr Ferland:** I don't think anyone has laid the claim that teachers are different in that particular sense. Our claim is that the trustees who are elected locally have that degree of accountability.

**Mrs Ecker:** But they don't discipline. The federation disciplines. Where's the public input or window into making that process transparent?

**Mr Lennox:** We have always taken the position that members of the public should sit on the OTF relations-discipline committee and we certainly support members of the public sitting on the discipline committee within this act.

**Mr Miclash:** You alluded to fees, and this is a question I had for the OSSTF as well. You indicated a concern that I'm hearing as I speak to teachers throughout the riding and throughout the north, that being with the suggested fee for the teachers full-time, and now you bring up another aspect to that in terms of the occasional teachers. What kind of suggestions would you have for the committee to alleviate that problem?

**Mr Lennox:** I would suggest that a prorated fee is the answer, and I don't think you'll ever find a formula that will work comfortably. I think you have to come to a place that if someone does casual, day-by-day occasional

teaching, we could look at a 50% fee, for example. I recognize that a professional is a professional is a professional and I'll get that argument back, but I cannot help but ask people who go in a few days a year whether that should not be considered. I think a 50% fee would be the one I would favour, not anything narrower than that.

**Mr Miclash:** You also touched on the powers of the minister in terms of the operation of the college. I'm just wondering if you can maybe expand on where you see the minister fitting in in terms of the day-to-day operation of the college.

**Mr Lennox:** I don't see the minister fitting in on the day-to-day operations of the college. I think he has a responsibility to receive the report of the College of Teachers. I see it more, and I'm going to use the example of the Education Relations Commission, that they have a responsibility to be out there to deal with teachers and school boards, and then they have the responsibility to advise the Minister of Education and Training, and the Minister of Education and Training may make a request to the Education Relations Commission, but the minister does not require the Education Relations Commission. There has to be some type of neutrality out there is how I would see it.

**Mr Patten:** I wonder if the term "complaints committee" rather than "discipline committee," which seems to be kind of presumptuous in that sense that it has some carrying out of discipline; it kind of prejudges the situation. In some instances "complaints committee" is used as the name of the committee. Does that add anything of value?

**Mr Ferland:** Not in my interpretation. The complaints committee, if you're going to use that terminology, does exist at the local level through the directors of education and the superintendents who deal with parents directly on teacher complaints and find a way to deal with them effectively at that particular level. Once we broaden the scope to bring on the provincial structure, it becomes rather difficult for the individual to monitor such a complaint and to validate in any way, shape or form such a complaint. I believe it's a definite two-tiered aspect.

**Mr Patten:** Just one other little thing: We just found out from the commissioner of freedom of information and protection of privacy that that act will not apply to the college as such, so while the college may use, from a collecting point of view, what was there for what should be protected for the individuals, it opens up a whole series of questions, some of which you raise in your particular submission as well. I don't know whether you have anticipated or waited for the commissioner's response and what you hoped it might be to address your issue.

**Mr Lennox:** We had hoped the commissioner would provide a little more light on one of the perplexing questions that has been challenging us. We don't agree with the response you've received, by the way, and we'll have to give it our consideration.

**Mr Patten:** I'd be interested in hearing what your response is to that.

**Mr Wildman:** I agree completely that we should be concentrating on the cutbacks, and it's unfortunate that Bill 34 is being debated at the same time, but that's just because of the scheduling around here.

I'd be interested in pursuing the questions raised by Mrs Ecker about the similarities and/or differences under the Regulated Health Professions Act and what's being proposed here. If we use nurses as an example, most nurses are employed. They're employed by hospitals or by the VON; in some cases they work for physicians and so on, or other agencies. So they have employers. Is it your understanding, under the Regulated Health Professions Act, that the college can initiate an investigation that might be prior to or congruent to an investigation or process that an employer is carrying out with regard to a complaint with regard to alleged misconduct by a nurse? 1740

**Mr Lennox:** I have read that aspect and I'm trying to pull it back right now, so I'm going to just hedge my answer a bit by saying I do not believe they cannot have congruent activities, that one must precede the other. I'm trying to, because I've read them all—I can't tell you whether or not it was the nurses that do that, or physicians and surgeons that go right to their college. I think the nurses deal with their employer, and once it's done there, they go the college, but I stand to be corrected.

**Mr Wildman:** That is the experience in the British Columbia College of Teachers.

**Mr Lennox:** That's correct.

**Mr Wildman:** Except in regard to criminal investigations, or criminal convictions.

**Mr Lennox:** Once there's been a conviction, then it goes directly to the college.

**Mr Wildman:** Can I ask one other question, then, with regard to your comments about search and seizure. Other colleges do have this right in terms of places of employment. I'm not certain about their rights with regard to a person's residence. Are you concerned that this might be dealt with in a way that would be harmful to individual teachers in that it wouldn't necessarily happen but they would fear that there would be the possibility of this kind of very serious action taken against them if there was a complaint by a student or parents or other teachers?

**Mr Lennox:** I think it goes further than that. Having dealt with counselling and relations over a number of years, it goes to the place where teachers do not need the anxiety of the surprise. When they saw that, I had members call me up personally and tell me they did not have any protection from this type of situation. Where we've had members go up under allegations of physical or sexual assault and have been surprised at their home by the police, and all of a sudden when they saw that the College of Teachers could go to a justice of the peace and get a search warrant, "For what?" they wanted to know. So yes, we've got a very high degree of anxiety, and just because it's stipulated in some other college does not mean it's right.

**The Acting Chair:** Thank you very much for your presentation.

#### ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

**The Acting Chair:** Could the Ontario English Catholic Teachers' Association come forward, please, the last presentation of the day.

**Ms Marilies Rettig:** Thank you very much. I will start with an introduction. My name is Marilies Rettig. I am president of the Ontario English Catholic Teachers' Association. On my far right is Marshall Jarvis; he is first vice-president. To my immediate right is Claire Ross, our general secretary. To my immediate left is Pat O'Neill, the coordinator of the counselling and membership services department for our association.

As spokesperson for the 34,000 teachers who teach within separate schools across this province, I would like to thank you. I certainly am appreciative of the opportunity to present to you this afternoon some of our concerns, and some of our hopes and aspirations for a body that could be a professional, self-governing, self-regulating body for the profession of teachers across this province. I do, with some regret, though, issue on behalf of the teachers—many of whom would like to be here also to present, to voice not only their concerns but also their hopes for the potential College of Teachers.

As a backdrop to our presentation this afternoon, it's important to briefly reflect upon that which has been achieved by our profession over the past years. Indeed, since the passage of the Teaching Profession Act, we have strived to achieve what legislation sees as the objects of this College of Teachers. We have, without accreditation powers, made education, teaching at both the elementary and the secondary school levels, an all-graduate profession, something that in Scotland they attest to being the greatest strength inherent in their General Teaching Council.

We have, through OTF and affiliates, worked with the ministry in determining additional qualification courses. As a professional association and as a provincial association, over 27 years ago we attested and assumed that one great area of need for our members was in religious education, and in that area we developed, together with the trustees, additional qualification courses. More than 30,000 teachers have taken those courses in the past 20 years.

Similarly, our association, together with OTF, has developed other courses, be it in the area of family life or other additional basic qualification courses, to enhance the development of our teachers throughout this province. Moreover, teachers, through OTF, have been involved in establishing and enforcing professional and ethical standards. This process is identified and outlined for you and I'm sure was alluded to by many of the other teacher affiliates when they spoke of the relations and discipline committee as it exists and as its functions within the Ontario Teachers' Federation.

Finally, as a preamble, and it's indeed appropriate upon hearing some of the questions that were raised in the previous presentation, we recognize the relationship between school boards as employers and teachers as employees. It is important to make that distinction. The school board has control of employment, where the profession, through the College of Teachers, would have control over membership within that profession.

It is very important through our discussions this afternoon, and through your discussions as you complete the process of hearings, that you contemplate each of these and that you examine ways in which the college



can enhance and complement practices and direction which are already there as a viable and legitimate profession.

OECTA has done much as an association to make itself familiar with the College of Teachers and with self-regulatory bodies by not only examining other professional groups and their professional standards and practices and the dictates they have to govern themselves as professions, but by closely examining those professional colleges of teachers that exist throughout the world, most pointedly in Scotland and in British Columbia. Three of us sitting at the table have travelled to Scotland with the very purpose of identifying what is the strength inherent in the Scottish model such that we could come back to this country and contemplate those very great benefits as we develop the College of Teachers here within our province.

We certainly recognize that a College of Teachers in a self-regulatory profession would improve the area of pre-service entry standards into the profession, in-service education and professional and ethical standards. Given this vision and this positive disposition on behalf of this association, OECTA was shocked and quite dismayed by the provisions inherent in Bill 31, provisions which reflect quite a different vision of teaching and quite a different vision of education and the future of education in this province. It is our firm belief that only major revisions will save a rare opportunity that we have before us, and I say it is an opportunity.

We must allow this great profession in this province, and we can allow this profession in this province, to become a world standard. We appeal to this committee to make the necessary amendments to this bill so the teaching profession will embrace that challenge and the opportunity of the Ontario College of Teachers.

Within our brief and within our submission we outline two major areas of concern, and they are categorized into two areas, one being process and the other being scope. Together with my colleagues, we will briefly highlight some of our concerns for you. I would like to start with the area of procedural rights.

As noted in our brief, a number of concerns can be raised in the area of procedural rights of people who are governed by this bill. This principle cannot be violated. An act of the Legislative Assembly should not be seen to deny or to diminish the legal rights of citizens of Ontario nor be found by the courts to deny or diminish such rights. I refer you to sections 3.02, 3.03 and 3.04 for a further explanation of these rights now being held to question should this bill be passed without amendment.

Troubling procedural rights are also raised by the provisions governing the investigation committee. Specifically, I note the following: A member has no right to be advised of an investigation when the investigation begins. Notice is required only if the committee is going to make a decision to refer the matter to a discipline committee. In the case of any investigation, it is absolutely essential that the member, the professional, is given notice of such investigation.

In the absence of this requirement, an investigation might be conducted for months and the member would never be aware. This would prejudice the member's

rights, because the passage of time adversely affects memory and the ability to gather evidence and other substantive material that would assist the member and would be part of the due process that should be available to him.

**1750**

**Mr Marshall Jarvis:** With regard to the issue of disclosure in section 4 of our brief, the basic premise of all justice is that an individual has the right to full and timely disclosure of all—all—information pertaining to the charges or complaints brought against the individual. To this end, the bill is very inadequate.

On this point, I note the following: The registration appeals committee, subsection 20(5), is required to provide copies only of documents the committee intends to consider. This contrasts significantly to the all-information requirement under the Registered Health Professions Act, as well as under the Ontario College of Teachers Implementation Committee's original report.

Further to that end, provisions governing the discipline committee contain only a single reference to disclosure:

"29(3) A party to the hearing shall be given an opportunity to examine before the hearing any documents that will be given in evidence at the hearing."

Clearly, this constitutes a denial of the individual's right to prepare an adequate defence to the case or the charges brought before. These provisions do not even meet the minimum requirements for a fair hearing. If we are to work collaboratively in forming a College of Teachers which truly reflects the intents and the purposes of our profession, the government should be interested in avoiding the embarrassment of having these disclosure provisions ruled inadequate by the courts, as they surely will be.

I note that as a result of lengthy litigation, a discipline committee under the Regulated Health Professions Act has fully adopted the disclosure rules applicable to criminal court proceedings as set out in the Supreme Court of Canada's landmark decision on disclosure, involving *Stinchcombe*. The same standard will undoubtedly apply to a College of Teachers.

With regard to time limits—and Marilies has already illustrated the point—there are no limitations on how long it will take a charge or a hearing to be held once the college has been notified. This is clearly adverse in terms of the carrying out of justice. It wouldn't be upheld in courts of law in Ontario, and I do not see why, within the legislation you are contemplating currently, teachers should be denied those same principles of justice.

**Mr Pat O'Neill:** With respect to the provisions governing entries on the register, it's important for us to remember that what's on the register of teachers can have a maximum impact on a teacher's career because of course it's available to the public and certainly would be consulted by prospective employers.

It seems to this association that the only committees that should have the right to direct that something be entered on the register are the registration appeals committee, because that's the one that determines whether a person should be registered in the first place, and second, the discipline committee. It should not say "any committee," which is what it says.



With respect to incapacity, you've heard some submissions already. We would like to stress that, unlike the legislation upon which this act is based, namely, the Registered Health Professions Act, this act conflates, brings together, incompetence, incapacity and professional misconduct into a single process. We have considerable concerns with respect to incapacity being dealt with by the same process that has available to it only the same range of remedial orders that it has for professional misconduct. This prospective college must conform to human rights legislation, of course, and human rights legislation would not see discipline as the way of dealing with incapacity.

A process dealing with incapacity should be rehabilitative rather than disciplinary, rather than punitive. It should deal not with the conduct so much but the medical evidence which gives rise, perhaps, to that conduct. It should make provisions for such things as an independent physical or mental examination. That's the kind of clout it should have, not the clout of discipline.

Frankly, we believe it's asking too much for a group of individuals used to operating in a quasi-criminal-trial fashion, where they're dealing with issues of guilt and penalty or punishment, to suddenly switch and start dealing with some kind of conciliatory search for the right solution for an incapacity. It really is quite a serious concern and one that you have thought of before.

**Mr Claire Ross:** I'm going to deal with two issues. The first is the registrar's powers of investigation. I remember that when first reading this bill I was rather more than just confused, because we had in an earlier part of this bill a section which dealt with the investigation committee, and it was as if somebody either had an afterthought or didn't trust what they had done or was taking the position of, "Let's make sure we get whomever it is we're after," to put in place another process. As if law isn't confusing enough to the ordinary person, we have to come at the individuals not once but twice. I wondered why we stopped there and didn't go on farther.

We give to the registrar certain powers that are absolutely offensive to anyone who has taken even a preliminary course related to the philosophy or theory of law: a power which allows the registrar to begin an investigation, to make a member subject to reprimand or admonishment from the executive council, and we have this other route which sets in motion this alternative way of investigating without the individual being informed. We've noted, in terms of natural justice and due process, the necessity of communicating to people the fact that they may be under investigation for all kinds of purposes. It is absolutely outrageous that what we would have here is an investigatory route applied in this fashion. Without question, it's going to be a source of ongoing litigation, but as I look at this committee here, I suggest to you that that is not what is fundamentally wrong with this particular section.

What is wrong is that it offends in terms of natural justice and at the same time makes a profound statement on the part of this government with respect to the professionalism of the teachers of this province. This particular section is not needed and is a particular aspect of this bill which is not only troubling but does enormous dis-

service to the potential of this college being established in the way in which it will complement the workings of the educational system in this province.

I'll speak very briefly about the powers of the minister. Without question, when one reviews some of the powers given to the minister, one would have to conclude they are excessive, and I think we have to be very prudent in this province that law not be perceived as being excessive. It should be fair and it should be just. For example, there is no precedent for this act extending the minister's powers to bylaws, which are normally seen as the internal operational rules of any organization. This unprecedented intrusion into the future workings of a college that is supposed to be self-governing is alarming. As you sit around this table and as you look at the teachers in this province and speak about self-regulation and professionalism, it seems to me that the values and the virtues of those qualities you speak to are going to have to be demonstrated and exemplified in this legislation. Otherwise, what you are going to have is a growing controversy and a sense of rejection which is not going to do any of us any good.

**1800**

**Ms Rettig:** Claire, with his comments, brought us into the second category of our concerns, that is, with the current scope available at this time.

I want to reflect very briefly on the area of mandatory career-long learning or lifelong learning. I preface my remarks by stating that as employees, teachers have an obligation to their employer, as I outlined in my opening remarks, as well as to their students to remain current with curriculum changes and pedagogical development. School boards enforce this obligation, and there's considerable staff at the school board level to ensure this is enforced.

I would like to reflect on two areas in highlighting our concerns. First of all is recognizing the incredible bureaucracy that would be required by a College of Teachers if they wanted to legitimize this role of tracking individual teachers in their professional development, career-long learning paths. Aside from that extensive bureaucracy, for which we have incredible staff at the board level already within each jurisdiction and within each school board, I would also like to briefly reflect upon the essence of professional development and the current trends in professional development.

You're not looking at professional development in terms of teachers within a certain jurisdiction or within a certain regional area of this province taking certain courses and thereby fulfilling the dictates and demands of professional lifelong learning. Our research and work that has been done in the area of professional development indicates that the most effective and the most impacting professional development on teachers is that designed by the individual teacher to meet specific needs of those individual teachers; namely, those teachers and those schools and principals and superintendents who speak of very effective professional development programs speak of individual teachers mapping out their own professional development, doing it in the context of a school professional development plan within the context of a school board professional development plan. All these aspects of

professional development, where the trend is moving to, would certainly be incapacitated by mandatory career-long learning and the idea that one could channel and filter professional development for 200,000 teachers across this province.

**Mr Jarvis:** With regard to the issue of the obligation of a school board to report, clearly we are in agreement with the fact, under subsection 44(2), that the board immediately is required to report to the college with regard to sexual misconduct and criminal offences. However, we have severe concerns about subsection 44(3), "where in the opinion of the board the conduct or actions of a member who is or has been employed by the board should be reviewed by a committee of the college."

Is it the intent, with the establishment of the college, that the employer relationship in terms of a school board to the teachers, its employees, be completely circumvented? That certainly is the breadth which is applicable and available under this provision. An inherent employee-employer relationship is established when one obtains employment with a school board. It exists in a multitude of areas, whether private or public sector.

Our concern is clearly this: The employer should carry out its duties with regard to evaluation and review and, upon determination of inadequacy, then and only then should the situation be forwarded to a college for further review if that is deemed necessary by the employer. And that may not be so under every situation, because is there not a requirement on the part of an employer to also assist its employees to improve their performance? That's encompassed and envisioned within the area of professional development. There's a belief that that is a necessity, and the act clearly stipulates that it is a role of the employer to assist the individual in professional development. That is a significant concern on our part.

With regard to the issue of personal information, you have heard a great deal from a number of sources with regard to concerns about personal information. We too are concerned about the search and seizure provisions encompassed within this. I had one teacher ask, "What is it I have that you could possibly want to forcibly enter my house to obtain?"

If there are criminal requirements or criminal proceedings, clearly the police would be issuing warrants. I do not believe the college would go to a justice of the peace for a criminal investigation because I believe that stands clearly within the criminal justice system—unless, of course, this provision is to allow the college to assume the duties and responsibilities of our police forces and of our criminal justice system.

So we place that before you and hopefully we will be able to work collaboratively to reach a college which will serve all of our needs.

**Ms Rettig:** There are two other areas I would like to briefly highlight for you as areas of concern, and one certainly you would have heard from not only OTF but all the other affiliates and that's the composition of a council. Clearly, in any professional self-regulatory body it is reasonable to assume and absolutely essential that the majority of the members be practising members of that profession. I state "practising members of that profession" not only to give them a majority on various committees,

and that's what is alluded to within the context of our report, but I'd also like to briefly reflect on some very important aspects of the College of Teachers, particularly with respect to pre-service programs and admission into the profession.

Looking at one of the most successful aspects of the Scottish General Teaching Council is the fact that teachers, practitioners within the country of Scotland have a great deal of control over the pre-service program to ensure consistency and to ensure that teachers are appropriately trained.

To effectively do that, it is absolutely essential and indeed mandated that there be a majority of teachers, a majority of people who are practitioners and know the field well and can assist those at the university level and others to ensure that the programs are designed to meet the needs of the teachers.

I would like to finish with one other concern that we bring forward and that is with the use of letters of permission. Upon the introduction of the Ontario College of Teachers Act, the Ministry of Education and Training issued a compendium to the bill. Section 15 of that document states in part: "Several statutes define 'teacher' as a person who is qualified under the Education Act. Eventually, however, these statutes must reflect the fact that the college, and not the ministry, will be issuing teacher qualifications..."

This is evidently the intent of the bill. This intent was further confirmed in remarks made by the Minister of Education and Training to the OPSBA trustee development conference on January 19, 1996. In pursuing the theme of quality, accountability and affordability, he stated, "We want a system that is transparent, one that will let the public clearly see what we're doing..." He went on to state that, "The college will go a long way in contributing to the excellence in teaching which is one of the most basic requirements for overall excellence in education."

So far, so good. With the arrival of the college, the minister surrenders the power to grant certification, except to people with no qualifications at all.

Quality and accountability are thrown to the wind, but the transparency test is being clearly met; licensing unqualified persons would be affordable.

The minister assured his trustee audience in the following fashion, "It will be an independent, self-funded professional college with a proposed structure and mandate which is consistent with other professional self-regulating bodies, such as those for nurses, doctors, lawyers and chartered accountants."

For some reason, the glaring inconsistency was overlooked: his retention of the authority to debase the standards of the college through issuances of letters of permission.

This is far more than a philosophical dispute within the educational community. The reality is that during the period of the social contract, from September 1993 to February 8, 1996, when school boards were required to reduce their teaching staff by 4.75% with a commensurate increase in the pupil-teacher ratio of 5%, the ministry granted 828 letters of permission.



The teaching profession in the province of Ontario has achieved much of its professional objective without statutory authority. We have before us today a rare opportunity for an eager profession to make gigantic strides with statutory authority. This province can move in an innovative and constructive manner to put in place an expression of teacher professionalism which will enhance and improve an already outstanding body of teachers committed to the highest standards of professionalism.

There are two directions which could be pursued. One is one rooted in trust and in confidence, in confidence in the profession of teaching and in the professional work that is being done in thousands of classrooms across this province. The other one is a direction that will be based on distrust and the rejection of professional ownership, an implied cynicism of the many gains we have made as a profession.

Although this path could be borne, it could be borne with controversy and indeed continued litigation. It is our sincere hope that the road which is taken is one which will facilitate and allow the success realized in Scotland whereby the GTC of Scotland enhances the profession through the profession. We have a rare opportunity before us and we hope we can continue this dialogue after these hearings have taken place to ensure that the College of Teachers is indeed one which will allow us to realize our optimal professionalism within the teaching profession.

**Mr Patten:** There's a lot of information here, some of which you have underlined and has been presented concurrently with your views.

Something that comes up continually seems to be the role of managing long-term plans for professional development, so if we're talking about 200,000 certified teachers and we're talking about keeping up to date 130,000 files, that boggles the mind. In your analysis of this, what would it take in terms of personnel alone and resources to manage such a mass?

**Ms Rettig:** I guess one could draw an analogy by reflecting on what currently exists. Within the context of what currently exists—that many professional development plans are developed through the schools by principals with the assistance of program coordinators at the high school level, department heads right through superintendents and supervisory officers at the board level—if you look at that kind of infrastructure for administration in assisting the teachers in the development of the plans and the realization of those plans, I would suggest that's the kind of infrastructure that would be required to track the 130,000, 134,000 teachers who are teaching right now.

There's another problem, certainly: that percentage of teaching population that isn't practising, those who aren't currently practitioners. One could not ascertain or surmise what kind of structure would be required to have that kind of follow-up with the 70,000-odd that are currently not within classrooms.

**Mr Wildman:** You've raised a number of issues such as notice to professionals, issues with regard to incapacity not being properly dealt with through a disciplinary process, the employer-employee relationship, search and seizure, and so on. I would hope that at some point the government will indicate where it's going on amendments.

I would ask two very short questions. One, have you been informed by the government officials that you've been dealing with where they might be going with regard to amendments? Two, if you use the nurses' example, under the Regulated Health Professions Act, the composition of their governing council, as I understand it, is 18 persons appointed by the Lieutenant Governor in Council—in other words, 18 from the public—14 registered nurses and seven registered practical nurses. So the professionals in that college have a majority. Since they are also employees, in most cases, would you think that approach would be more appropriate than the one proposed in the legislation?

**Mr Ross:** As the general secretary, as the OTF legislation committee has met with the government extensively in a dialogue with respect to possible amendments, I can only regrettably say that the response with respect to a whole series of proposed amendments that we have given has been silence.

**Ms Rettig:** As for the second part of the answer, that structure would be more positive in our frame of mind. I guess I reflect on the Star editorial today that reflected on the necessity of a 60% ratio, which also shows the importance of having a clear majority of those who are within the profession represented on the council.

**Mr Peter L. Preston (Brant-Haldimand):** How will career-long learning be monitored and assessed? As with all professions—and I know this from personal experience; when a teacher upgrades herself, she lets it get on her file yesterday. If the teachers cannot take care of letting their file be upgraded with the personal knowledge that they have gained, then I don't believe they should be teachers.

**Ms Rettig:** Can I just respond to that? Teachers often don't put it on their own file; those who are supervising teachers have it put on their file. It's usually in the context of an evaluation process that would be performed either by the principal or by a supervisory officer.

**Mr Preston:** You're telling me a teacher who passes another certificate doesn't notify immediately?

**Ms Rettig:** It's within the context of an evaluation process if it's put in a file and that would be then the responsibility, and appropriately so, of the principal and supervisory officer.

**The Acting Chair:** Our time has expired. Thank you very much for your presentation. This committee stands adjourned until tomorrow, Tuesday, April 23, at 3:30 pm.

*The committee adjourned at 1815.*



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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Miclash, Frank (Kenora L) for Mr Gerretsen

Ross, Lillian (Hamilton West / -Ouest PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

**Also taking part / Autres participants et participantes:**

Bartolucci, Rick (Sudbury L)

**Clerk pro tem / Greffier par intérim:** Doug Arnott

**Staff / Personnel:** Ted Glenn, research officer, Legislative Research Service

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# Official Report of Debates (Hansard)

Tuesday 23 April 1996

## Standing committee on social development

Education Quality and  
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# Journal des débats (Hansard)

Mardi 23 avril 1996

## Comité permanent des affaires sociales

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Loi de 1995 sur l'Ordre  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Tuesday 23 April 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mardi 23 avril 1996

*The committee met at 1535 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / *Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.*

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / *Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.*

## ABORIGINAL EDUCATION NETWORK

**The Acting Chair (Mr Michael Gravelle):** Good afternoon and welcome to the continuation of our public hearings into Bill 30 and Bill 31. My name is Michael Gravelle; I'm the acting Chair for today's proceedings. I'd like to thank you all for joining us.

Our first presentation is by the Aboriginal Education Network, Grand Chief Douglas Maracle. Good afternoon and welcome to the committee. You will have 30 minutes for your presentation, which you can use in whatever manner you wish. If you have a presentation to make, whatever time is left over will be divided equally between the three parties.

**Mr Douglas Maracle:** Good afternoon, ladies and gentlemen. I want to thank you for the opportunity to make this presentation to the standing committee on social development. My name is Douglas Maracle. I'm the grand chief of the Association of Iroquois and Allied Indians. Linda Commandant is a member of the Mohawks of Wahta. Murray Maracle is a member of the Mohawks of the Bay of Quinte. Also with Murray today is his daughter Mindy Maracle who is off on a job shadow opportunity this afternoon. I think it's a unique opportunity for her to come and participate and sit in also.

For the purposes of the presentation, I'll be confining my remarks to Bill 31.

The proposed legislation will create an autonomous body responsible for determining professional standards, certification and accreditation of teacher education programs. The Ontario College of Teachers will coordinate both pre-service and in-service teacher education and set career-long learning standards for teacher education and the power to ensure that these standards are met.

We have some comments and recommendations to make to ensure that aboriginal issues have fair and equal treatment within your system. We appear before committees such as this and take every opportunity that is open to us to discuss the positive and negative impacts your legislation will have when it is applied in our territories. However, to be very frank, the record will verify that the history of Ontario dealing with aboriginal issues within the context of its own legislation has not been a positive one for us.

Many of our recommendations have not been incorporated into the proposed legislation. However, we continue to write papers and make presentations because it is our responsibility to keep you informed when your legislation has the potential to negatively impact the advancements first nations communities have made.

Bill 31 has a wide-ranging ability to negatively affect first nations education, both on reserve and in related school boards, while not ensuring fair and equitable representation on the governing structures.

Specifically, the legislation will require that all teachers be members of the Ontario College of Teachers and hold an Ontario teacher's certificate. This limits the view of education to what has been learned from a book and cannot recognize the knowledge and wisdom of our elders, who are the foundation of our education systems. We agree that standards and professionalism are necessary, but we cannot allow your standards to inhibit the transfer of intrinsic knowledge or make it lesser than it is.

To be eligible to teach in federally operated reserve schools, the criteria specify that teachers must have or be eligible for teacher certification within the province. First-nations-controlled schools may place a higher priority on the sharing of inherent knowledge and wisdom as compared to a standardized perception of a structured way to learn.

As an example, the legislation sets up a governing council that will control who will or will not be a teacher. Without the opportunity for all-encompassing participation, the regulatory bodies could become elitist and exclusionary. Many native teachers may not want to join a centralized body that cannot relate to the issues the teachers must deal with on a daily basis. However, the choice will not be theirs.

The legislation will have a negative impact on elders, community resource workers, uncertified language teachers and classroom assistants who do not have recognized teacher education. The college is prepared to provide a temporary letter of standing to those who have not acquired an Ontario teacher's certificate. However, the affected individual must demonstrate to the college that they have a development plan that will raise their credentials to suit the college.

Anyone holding a temporary letter of standing will not be eligible for full membership in the college. This means they will not have the opportunity to participate in functions of the college, nor will they be eligible for election to the governing council of the college. This will further marginalize aboriginal people who do not possess the credentials the college deems necessary.

The following recommendations are made with the understanding that, with some additions and modifications, the college could be a positive developmental tool that could be utilized within the aboriginal system and enhance your system as well. It is recommended:

(1) That the proposed legislation contain a process to address the specific situations of aboriginal teachers who do not possess all of the qualifications required by the Ontario College of Teachers.

(2) That an aboriginal body of the college be created that is responsible for all aboriginal education issues. The body would be elected by aboriginal members of the college and report to the governing council.

(3) That the membership of the governing council be increased from 31 to 35 representatives, raising the number of representatives elected by the college from 17 to 21, and that the four additional representatives be from the aboriginal system.

(4) That of the 14 publicly appointed representatives, designated seats be created for an aboriginal teacher, an aboriginal faculty of education member, an aboriginal school board trustee and an aboriginal student teacher.

(5) Create a provision for native language teachers to evaluate native language programs.

(6) Create an aboriginal teacher education program that includes courses in aboriginal culture, language, curriculum design and pedagogy.

(7) That an aboriginal standards panel be created that will set standards for native curriculum and teaching methods, which will include aboriginal community representatives, teachers and native education faculty members.

(8) That all statutory and standing committees created by the college have aboriginal representation.

That is our presentation, and we'll utilize our remaining time to answer questions.

**Mr Floyd Laughren (Nickel Belt):** Mr Maracle, good to see you again. I remember meeting in different forums.

I need to get out the bill again and go through it to see which of your recommendations would actually require specific amendments to the bill. I'm not asking you which ones, because I live with legislation and it's not always easy to remember which ones relate to specific clauses of the bill. I hope when the parliamentary assistant, Mr Skarica, gets a chance to speak next, he could perhaps address that issue of to what extent your concerns could be addressed, either through specific amend-

ments to clauses in the bill or simply to do it some other way, although I'd be very cautious about doing it some other way when it should be in the bill.

**Mr Maracle:** From two aspects, I think we have to be very cautious regardless of how it's done. Having it done through the legislative process is one that creates a little more of an assurance, albeit that has not been demonstrated totally in the past, but we're always hopeful that the more times we do it, the better it becomes.

**Mr Laughren:** Could you help me? How does it work now if there's a problem with native teachers? You mentioned the federally operated reserve schools. If there's a problem in one of those schools, how do you deal with things like competence and misconduct and incompetence? What's the process now? Whom do you work through?

**Mr Maracle:** We work through the federal government at the present time, and that is with schools that are still under the control of the federal government. However, in the recent past the picture has changed in the sense that communities have had the opportunity to assume local control of education. Although the funding itself still flows from the federal government, it flows to the community, which has opted to assume what is acknowledged as local control. They hire their own teachers; they virtually have community control over education within their community.

In that sense, many of those situations create the opportunity. I guess it would be similar in communities still operating under federal government control. They utilize local expertise—elders, members of the community—in the course of the normal school day. That is becoming more acceptable. The individuals hired for the purposes of teaching in band-controlled schools as opposed to government-controlled schools do not always put the emphasis on a teaching certificate as opposed to the expertise that has come from the community in the area of language, discipline, many areas of that.

**Mr Laughren:** Maybe even wisdom rather than learning.

**Mr Maracle:** Very much so.

**1550**

**Mr Laughren:** I genuinely don't know this; somebody help me. If nothing's changed in the way the legislation is now, would the college have jurisdiction over native teachers?

**Mr Maracle:** The reason for the comments in the fashion they are is partly because of the wording in the federal Indian Act under the area of education, where it does stipulate that teachers they employ must have a provincial teaching certificate.

**Mr Laughren:** I see. So it means the college would have jurisdiction.

**Mr Maracle:** It does have some control.

**Mr Laughren:** But—surprise, surprise—you're not part of the controlling process.

**Mr Maracle:** Exactly. We've heard time and time again for a number of years, since the early 1980s, in my community, Tyendinaga, about education for aboriginal people being the responsibility of the federal government, and more so in secondary than in elementary. When we approach federal bodies on post-secondary, the federal



government says no, post-secondary is the responsibility of the province. We continue to go back and forth, and we've done that for a number of years since the early 1980s.

**Mr Dan Newman (Scarborough Centre):** I'd like to begin by welcoming the Aboriginal Education Network to the committee today, and I thank you for your clear and concise presentation. I was especially pleased to see the recommendations so clearly presented.

Recommendation 3 on page 5 states, "That the membership of the governing council be increased from 31 to 35 representatives, raising the number of representatives elected by the college from 17 to 21, and that the four additional representatives be from the aboriginal system." How would you determine those four positions? Would it be the aboriginal community at large or would they be geographically designated to ensure that both on- and off-reserve interests are met, along with the southern and northern differences being taken into account?

**Mr Maracle:** In the general makeup of Ontario, the general political makeup, there are four segments of political bodies, and we have normally shared that opportunity for each of the groups to designate a representative.

**Mr Newman:** You indicated that you wanted to confine your remarks to Bill 31. Are you prepared to make any comments on Bill 30?

**Mr Maracle:** Not at present.

**Mr Newman:** That's fair.

**Mr Bruce Smith (Middlesex):** I want to pick up on the theme my colleague was just questioning about. We received a similar presentation and concerns expressed from the Ontario Federation of Indian Friendship Centres. Albeit they recognized the importance of having one designation, I think they made reference to it being tokenism, which raises concerns when that perception is there. Given the recommendations you've made for increasing the number and the fact that we receive presentations that suggest broader representation from other groups, addressing the big picture, what do you think should be the overall representation of the council? Given your concerns about the number of representatives and knowing there are perhaps competing interests from other groups in terms of representation, what do you feel would be the appropriate size of the governing council?

**Mr Maracle:** It's a difficult question in the sense that the overall governing council—I can only speak for ourselves. Going back to Mr Newman's question about why we suggest four, it comes back to the political divisions within the province. There are four structured groups covering both the north and the south and the central part of Ontario, each one having a representative. Really, two from the north and two from the south is quite adequate. It's put together in that fashion because there are very distinct differences between the four groups, and one representative wouldn't be satisfactory, nor would two.

**Mr Smith:** I believe last week questions were being raised by my colleague Mr Wildman on a similar issue, and I'm asking this because I don't know. How does that exchange of ideas occur currently between north and south? You obviously have a network or a mechanism by which views on education are exchanged, be it within the

community or between elders and communities. How does that mechanism look today?

**Mr Maracle:** I think it works reasonably well from the standpoint that the information always comes from the grass-roots level. If we could compare two diagrams, ours always appears to work opposite to what we see in diagram form or picture form of any provincial or federal hierarchy. In our hierarchy the people are the highest and the elected people are at the bottom and information flows in a different direction. It flows down to the elected people instead of up to the elected people. It comes from the people to the local elected councils, on through to their representatives on one of the four organizations, on through to the leadership of those organizations, and it goes from the leadership of those organizations as a provincial group through individuals in the provinces. In Ontario that is Vice-Chief Gordon Peters, who is on the executive of the national Assembly of First Nations. That is how the information flows from the people to the elected body to the Assembly of First Nations.

**Mr Frank Michlash (Kenora):** Chief and folks, welcome to the committee. I want to go back to something that was touched on by the Ontario Federation of Indian Friendship Centres: the exemption of traditional language teachers from the authorities of the college. They expressed that as a concern. What, in your opinion, do you see the bill doing to protect these teachers?

**Mr Maracle:** We have some difficulty when you say "exemption" because of the stipulations out there. For a person to teach a native language off-reserve where some of our education has to be purchased, the only way that person can be there is to be certified. Certified native-language teachers are rather scarce. It further creates a complication when boards hire a native-language teacher. They have difficulty hiring them in that they may only have enough students for one section a day, and to try to hire a person to work for one class a day is difficult when that teacher is perhaps only certified in native language. It's much more acceptable for boards to hire someone who can teach the rest of the day, and it's more acceptable for a teacher to be able to work full-time, so to speak. It's difficult when the requirement is that a native-language teacher hold the credentials identified by another government to say, "If you're going to teach in this school, this is what you have to have," giving no consideration to the other aspects and elements of need.

**1600**

**Mr Richard Patten (Ottawa Centre):** Grand Chief, thank you as well for you and your friends being here today. It seems to me, in a nutshell, that you're caught between a rock and a hard place, from two aspects. One is that you have one level of government suggesting they will help with funding for payment of staff if you're recognized by another level of government in terms of your teachers, yet your representation in terms of cultural tradition and heritage and what education means to you and what the realities are in your particular community—albeit that it manifests itself in the north and the south differently than it does on-reserve, than it does in the urban areas. There's a highly fragile degree of cultural understanding required in this.

All that you say, what I take from this is that the college really cannot avoid, unless it encourages setting

up a separate body—but it has to have some function that really provides the opportunity for aboriginal teachers and their programs and support structures, which obviously are decidedly different.

**Mr Maracle:** Very much so. It begins with an understanding, first understanding the situation and that we initially had no part in creating it. But we are on a daily basis trying everything within our means, in presentations such as this, to have that understanding out there. And it doesn't end with education, it affects virtually all areas, but this is education we're talking about here today.

We don't blame anybody or point fingers at anybody, but simply raise the issue that this is a problem that is created, whether it's a lack of understanding, a misunderstanding, or a void in the provincial education system that what we're faced with everybody doesn't know about.

**Mr Patten:** It will be a big challenge. I thank you very much.

**The Acting Chair:** Thank you very much for your presentation.

#### ONTARIO CONFEDERATION OF UNIVERSITY FACULTY ASSOCIATIONS

**The Acting Chair:** I call forward the Ontario Confederation of University Faculty Associations. Thank you very much for joining us today.

**Ms Marion Perrin:** Thank you. I'm Marion Perrin, the executive director of OCUFA. John Lye is a professor at Brock University and is on the executive committee of OCUFA; Professor Didi Khayat is at the faculty of education at York; Professor Don Dworet is at the faculty of education at Brock University.

OCUFA represents over 11,000 faculty and academic librarians across the province. This includes, of course, all 10 of the province's faculties of education.

We thank the committee for the invitation to appear to speak to you about Bill 31, because we always appreciate the opportunity to address important changes taking place in the educational system. Our remarks will be in the context of the legislation and the report of the Ontario College of Teachers Implementation Committee, and will be focused on how they affect our members.

The first issue we'd like to address is governance. Bill 31, in keeping with the recommendations of the report of the Ontario College of Teachers Implementation Committee, establishes a governing council of 17 persons elected and 14 appointed by the Lieutenant Governor in Council. The report recommends that one representative be elected from the academic staff of the faculties of education and further recommends the appointment of three post-secondary representatives, two of whom are nominated by deans, and one faculty of education member.

We assume that OCUFA is the appropriate body to appoint that person and that's why we ask this committee to note that. However, we urge the committee to recommend this provision be embodied in the regulations that will be forthcoming under this legislation and that we be named as the body to nominate that second faculty member.

Professors from faculties of education will bring considerable expertise to matters dealt with by the college. Both as academic researchers and as professionals train-

ing other professionals, education faculty help define professional competence and incompetence. Education faculty understand what is required of teachers to establish and maintain the high standards the college is mandated to promote and protect.

The college in turn will likely affect faculty work in significant ways. There will be sensitive questions about academic freedom versus the powers of the college to specify what must be taught in order that a faculty's program achieve accreditation. Identification and resolution of such issues before they become problematic can only be assured with adequate and effective representation of education faculty.

As noted by the deans in their presentation to the committee: "It is important to recognize the complementary responsibilities of the professional governing body and the university professional school. Both organizations are vital, one for its responsibility for professionalism, the other because of its responsibility for education."

While faculty teaching in the universities' faculties of education have been responding and will continue to respond to the requirements for new approaches to teaching strategies in light of social change and growth in the knowledge of teaching and learning, it is important that faculty have input in the work of the college as it develops standards to enhance the profession of teaching, "while not compromising the ability of universities to carry out their responsibilities."

University faculty have a responsibility to pursue truth in teaching and research. Faculty encourage intellectual debate about teaching, learning and research and act as critics of accepted knowledge. They pass on their knowledge and research techniques to the next generation. Education faculty in particular have a responsibility to develop and explore alternatives for teacher education and provide the critical intellectual content of teacher education curriculum. University faculty are "responsible for ensuring that what they teach is academically sound and free from undue political influence, that students are selected on fair and objective criteria and that [they] are working at high levels of scholarship and teaching."

It is for these reasons OCUFA believes effective representation on the College of Teachers council is not only desirable but necessary.

Bill 31 establishes, as you are well aware, four committees. We strongly recommend the establishment of an education committee, by legislation or otherwise, with representation from the elected group. In addition, at least one of the faculty of education members, among others from council appointed for their expertise in particular areas, must be included. The education committee's responsibility would include ongoing liaison with faculty and administration in the province's faculties of education. The committee would work with faculty in the development of standards for the profession and the education of students in the profession. This type of partnership could only strengthen our faculties of education.

#### 1610

OCUFA supports the Ontario Teachers' Federation recommended changes to Bill 31 that provide for a fairer and open process with respect to both registration and discipline. In particular, we support the following recommendations.



First, that a member with a physical or mental condition or disorder whose competency is questioned should not have a hearing before the discipline committee. OTF recommends a fitness-to-practise committee. We recommend the same or a special panel of the registration appeals committee be struck to hear this type of complaint. I'm glad to see your head nodding in agreement.

**Mr Laughren:** I'm not the minister.

**Mr Bud Wildman (Algoma):** No, but I think there's general agreement. I hope there's general agreement.

**Mr Patten:** There is on this side.

**Ms Perrin:** Secondly, we agree with OTF that subsection 18(1) be changed, as well as all other sections pertaining to production of information and documents to an applicant or party, to ensure that a person may examine all relevant information and documents in the possession of the college.

Third is that members be advised of any right to make submissions and that members receive a copy of any notification to the college by a school board where the board has terminated a member of the college.

Fourth is that the legislation provide for panels to be established by the chair of the discipline committee.

Fifth is that members of the college be allowed access to their college files.

In summary, OCUFA believes the report's recommendation for faculty representation is the minimum necessary for effective representation. Further, it is appropriate that OCUFA be named to nominate the second faculty member to the council.

We recommend that there be an education committee established, as well as the four committees outlined in Bill 31. The purpose includes, of course, ongoing liaison with the province's faculties of education.

Finally, OCUFA supports changes to the legislation recommended by OTF and believes that the changes suggested will serve to strengthen Bill 31 in its efforts to provide the college with a fair and open process in pursuing its mandate.

**Mr Toni Skarica (Wentworth North):** I just have one or two questions regarding the governing council. We've heard from a number of the teachers' federations, and the criticism they've levelled at the makeup of the council is that of the 17, 14 are classroom teachers and three aren't, one of those three being the member employed as an academic staff member of the faculty of education. From your presentation, it would appear that person would in fact be a classroom teacher. I wonder if you could comment on that criticism.

**Ms Perrin:** If a person is from a faculty of education, they are a classroom teacher. They're training teachers, however, in a faculty of education. That is, I believe, the question you asked. Is there anything further?

**Mr Skarica:** Yes. My simple question is, would the representative who would come from your body be a classroom teacher, yes or no?

**Ms Perrin:** Yes, a classroom teacher in the faculty of education.

**Mr Skarica:** That's my question.

**Mrs Janet Ecker (Durham West):** On page 5, you make a recommendation "that members be advised of any right to make submissions and that members receive a

copy of any notification to the college..." I wasn't clear what was the purpose of that particular recommendation, because one of the things, as I read it, is that the public register is there if people have questions about the status of a particular teacher. For example, if they've been terminated as a member of the college or whatever, they would be able to access it, as opposed to, as I read it, having to copy the several thousands of teachers. I wasn't quite clear what you were trying to achieve.

**Ms Perrin:** Are you talking about point 5 on page 5?

**Mrs Ecker:** Point 3 on page 5, "that members be advised of any right to make submissions and that members receive a copy of any notification to the college by a school board where the board has terminated a member of the college."

**Ms Perrin:** This relates back to OTF's recommendations, and when I say "advised of any right to make submissions," for example, if a process has been started for reconstituting a certificate and the registration committee refuses that, that person should be given notice as to whether they have the right to make a submission then further, to the council or to the next step, as opposed to—

**Mrs Ecker:** You're talking about individual members?

**Ms Perrin:** Yes, that's what I meant.

**Mrs Ecker:** Okay.

**Ms Perrin:** That's one part. Then the other part is about notification should a complaint be laid against them by a school board when their employment with the school board is terminated.

**Mrs Ecker:** Okay. So it's the individual members.

**Ms Perrin:** Yes.

**Mrs Ecker:** Sorry, I misunderstood that. The concern "that members of the college be allowed access to their college files": Are you talking about files, for example, if someone had come forward with a complaint, a young student about sexual abuse or something like that, before it had gone to discipline, before the college had made any decision as to whether or not it was accurate? Are you saying that's the kind of information you believe an individual teacher should have access to, or was there something else you were trying to address in that point?

**Ms Perrin:** No. I'm addressing some file that is kept on any individual member of the college. That specific member should have the right to review that file.

There is also a provision to protect information if it will be damaging to another individual, and the registrar—I believe it's the registrar—would have the right to withhold that information. So there is a protection in the act that people not be allowed to see information or names, and you can always provide information without names. But an individual member of a college, in our view, has the right to access what is in their file, or to see what is in their file as being accurate. It's like your credit rating.

**Mr Smith:** One quick question with respect to your comments on the inclusion of an education committee. Is it fair to assume that there is a vehicle already in place with respect to liaison between faculty and administration? Does that exist today? How is that information exchanged, and given that there is a current framework, why would the college framework be better than what you have today in terms of the exchange of information that occurs?



**Dr Don Dworet:** I have to know what you're referring to by administration. What administration are you referring to?

**Mr Smith:** Of faculties of education.

**Dr Dworet:** The faculty and the administration of that particular university?

**Mr Smith:** Yes.

**Dr Dworet:** The faculties of education report to the senate of that particular university, so any changes or adjustments to our program would go through our dean and through to our senate.

**Mr Smith:** With respect to your proposal then, you're suggesting the inclusion of an education committee. Why do you feel that would be a more effective means?

**Dr Dworet:** An education committee within the College of Teachers; that committee, with representation from teachers and from faculties, would meet to develop program for both pre-service and in-service programming, and the information from that committee—

*Interjection.*

**Dr Dworet:** Standards, that's right; standards for pre-service and in-service programming. Those standards would then go back to each of the individual faculties for implementation.

**Mr Trevor Pettit (Hamilton Mountain):** I'm just wondering if you could tell me what you see as being the benefits to teacher education programs by the establishment of the College of Teachers.

**Ms Perrin:** Benefits to—

**Mr Pettit:** Teacher education-type programs. Do you have any thoughts on that?

**Dr Didi Khayatt:** Part of my work as a member of the faculty of education at York is not just to teach, it is also research and committee work as being part of the university, but the operative word for today is "research." A lot of the ways in which we think and we produce theory has to do with more than just the classroom work we do in the everyday work of the university. It has to do with the way in which we connect up with our colleagues across the nation to see what is happening and to be able to establish standards and understand how we are functioning.

With respect to the work and how the college would benefit, the representative would bring a lot of that experience, a lot of that knowledge to some of the discussions that would be going on.

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**Mr Pettit:** So as far as the—

**The Acting Chair:** Sorry, your time has expired. I'm terribly sorry.

**Mr Patten:** Thank you very much for coming. I have several quick questions. Do I take it to mean that when we read "17 certified teachers and one from a faculty of education," you are suggesting, although it's not in the document, that the representation from the faculty would be a teaching faculty member?

**Ms Perrin:** Yes.

**Mr Patten:** Therefore, from that definition, it's a classroom teacher, which I like. I mean, it's cool.

**Ms Perrin:** I think that's what he was getting at.

**Mr Patten:** I hadn't heard that before.

**Ms Perrin:** There are two faculty or academic positions named. We would expect and hope that they would

both be faculty who do teaching of education students in the classroom. So that there are two deans' positions noted in the appointments, and one elected and one appointed for faculty.

**Mr Patten:** Do all your teachers in the teaching part of the education faculty receive teacher training?

**Ms Perrin:** They have received different teacher training than you may—

**Mr Patten:** Because we know that in the other part of university they don't.

**Ms Perrin:** Some of them do and some of them don't, in a formal sense.

**Mr Patten:** How come you haven't had that kind of influence yet on the rest of the universities?

**Ms Perrin:** John, you can handle that.

**Dr John Lye:** I'm not sure I can. But back to your original question, do all of the faculty of education have, for instance, teaching certificates? The answer is no, not all of them do, just as not all people in the department of psychology have certification as clinical psychologists.

**Mr Patten:** No, I meant the ones who are teaching.

**Dr Lye:** The ones who are teaching? We go through the same process of evaluation in the college of education as anywhere else to establish our faculty as teachers as part of the qualifications for our contract.

**Mr Patten:** That was a little equivocal, I think. All right. It just seems to me you have a wonderful opportunity to share your wisdom at the faculty of education with your peer teachers outside of the faculty in other areas to upgrade considerably the teaching that goes on generally in universities. That's my bias.

The one aspect I would ask you around the information that is gathered—and you have a caution on accessibility to file. Do you have a comment to make on the nature of what kind of information is permissible or is wise to gather, or are there limitations that should be imposed in terms of what can be gathered on a teacher and put on a file?

**Ms Perrin:** I would hope there are some limitations; otherwise it's not a terribly good—you're talking about a particular section of the act, aren't you?

**Mr Patten:** We've had some representations from some groups that are worried about race, hearsay from institutions, sexual orientation, things of that nature.

**Ms Perrin:** That's one of the reasons, due to those worries, that I agree with OTF, and OCUFA agrees with OTF, that all people should have access to their files.

**Mr Patten:** The public apparently will have access to the information that's on the registry as well.

**Ms Perrin:** On the registry, and the registry means X is registered to be a teacher in this system. It's analogous to what occurs in the College of Physicians and Surgeons. They don't have access to your full file. They have access to the information as to whether or not you're a registered certified teacher in the province, certified nurse, doctor, lawyer. They don't have access to your file. But the limitations in law that are of some concern to people—you addressed the very issue: What should be collected? I think that has to be discussed further. I can't find the section or I'd talk about it more.

**The Acting Chair:** We'd move to the third party, but they're not here. We'll start their time.

**Mr Patten:** Can I ask a question?

**The Acting Chair:** Go ahead, Richard.

**Mr Patten:** In light of the Aboriginal Education Network presentation—I don't know if you heard theirs—which I thought was a very powerful statement in terms of cultures approaching education in a different manner, from your grouping's point of view, what relationship do you have in terms of relating to aboriginal teaching methodologies, history, traditions, things of that sort?

**Dr Dworet:** There are four faculties in this province that do considerable work with native teacher education, and those four faculties I believe are Nipissing, Brock, Lakehead and Queen's. Each of those faculties has a variety of programs involved to prepare aboriginal people for Ontario teaching certificates or aboriginal people with native second-language programs. In my particular institution, we have accessibility admission policies for native students and we run a summer program. Both provide an OTC and native second-language certificate. Each of those four faculties is doing a variety of things, both on reserve and off reserve, in order to hopefully develop more native teachers.

**The Acting Chair:** Just to clarify: I noticed some raised eyebrows when I allowed Mr Patten to ask another question. The reason was because his time had not been all used up. I don't want you to think I'm being anything other than fair.

**Mr Wildman:** I think you're completely and utterly biased.

I want to ask about the representation of members of faculties on the board. As you know, we had a presentation from representatives of faculties of education, deans, and they welcomed the establishment of the college and indicated they were looking forward to working with the college in terms of accreditation and program and so on.

I may be interpreting them incorrectly, but I understood from their point of view that in choosing a representative of the faculty they did not necessarily agree with your position that OCUFA would be the logical group to appoint, although they didn't say so. I'm wondering if you've had discussions with the deans in that regard.

**Ms Perrin:** No, and I'm surprised to hear that there is the impression that the deans would not want OCUFA—

**Mr Wildman:** Sorry, I don't want you to misunderstand. I'm not suggesting they said they didn't want OCUFA to. That wasn't even discussed. It wasn't raised. I'm just wondering. You haven't had any discussion with them?

**Ms Perrin:** No. We've met informally in many ways with people from the implementation committee, and deans were present at those meetings, the pre-discussions prior to the report, but we've not had discussions about the representation on the council of the teachers' college.

**Mr Wildman:** Is your main interest in the college in terms of ongoing professional development or teacher learning as opposed to the other aspects or mandate of the proposed college with regard to discipline or investigation of misconduct or competence question?

**Dr Khayatt:** I would say for the most part, yes, but it's also to try and—part of the teaching we do has to do with—

**Mr Wildman:** Competence.

**Dr Khayatt:** I should hope so, but also with school law and what the rights of the teachers are. I think that kind of liaison would make our experience in teaching more relevant to what we're saying to the students.

**Mr Wildman:** I suggested to the deans that perhaps the worst pedagogy takes place at the post-secondary level. They did not necessarily disagree with my point of view, and they're not obviously talking about any of you individuals, of course, but I'm wondering what benefit might accrue to teaching in the faculties of education from participation and work with your colleagues in the elementary and secondary levels in a College of Teachers.

1630

**Dr Dworet:** It's a difficult question to answer because most of us in the pre-service sector of the faculty of education work closely with schools and with teachers anyway. Myself, I'm in about 30 schools, 30 classrooms a year on a regular, ongoing basis. What additional information would be provided, I suppose, on membership of a committee is to listen to them and influence them in terms of what teacher education is all about right now.

One of the frustrations I share as a faculty member, and I was mentioning this to my colleagues on the way over, is that teacher education has undergone some pretty dramatic changes over the last five to 10 years. Unfortunately, due to a variety of cutbacks and whatever, there are not a lot of teachers teaching who have undergone that program, because they haven't been hired if they've graduated in the last five to 10 years. Our involvement on an education committee would be to hopefully bring them up to date on what we are doing and then listen to what they think we need to do, and hopefully there is a blend.

**Mr Wildman:** What role would the faculties have in ongoing in-service training for teachers who perhaps received their certificates some time ago and have been in teaching for a number of years?

**Dr Dworet:** As you're aware, faculties right now run additional qualification courses which teachers take to upgrade. All my colleagues, and I believe the colleagues at York, provide a variety of professional development day activities, special workshop sessions, when asked to by school boards or individual schools. We do this as a regular part of our career path.

**Dr Khayatt:** And graduate work as well, at both the MA and PhD levels.

**Mr Wildman:** I was just wondering, in regard to the proposals before us that individual teachers would be required to develop a program and submit it to the college to indicate what their growth path is going to be, what role the faculties might have in that regard, if any.

**Dr Dworet:** It's difficult to even answer, but I suppose we would have to continue providing a variety of courses—in-service courses, short-term courses—that teachers can enrol in so they can meet their particular professional needs.

**Dr Khayatt:** We don't just teach content; we teach how to think in the classroom. We teach pedagogy. We teach theory. It has a whole lot of varieties of ways in which we can be influencing the teaching of teachers.

**The Acting Chair:** Thank you very much for your presentation.



**Mr Wildman:** I appreciate that you would listen to my admonition and you were less biased in that last—

**The Acting Chair:** Always fair.

#### ONTARIO PUBLIC SUPERVISORY OFFICIALS' ASSOCIATION

**The Acting Chair:** I call for the Ontario Public Supervisory Officials' Association. Thank you very much for joining us today.

**Mr Paul Collins:** My name's Paul Collins. I'm here as president of the Ontario Public Supervisory Officials' Association. Grant Yeo is the president-elect. The other two folks I'll leave for just a moment, because they're going to do most of the speaking to you.

Just so that you know, our organization represents approximately 400 supervisory officials who work for public school boards. A key aspect of our work has to do with providing input on policies and legislation, and so we're really pleased to have the opportunity to be here today and share some thoughts with you.

We think these are two really important pieces of legislation and we're here speaking in support of them and wish to share some more specific comments with you on each of the bills. I'm looking for some direction in terms of how you would like us to proceed. Bill by bill, to speak and take some questions? We wish to speak to both pieces. Or would you like us to speak to both bills and then take questions relevant to both?

**The Acting Chair:** It would probably make sense to speak to both bills and complete your presentation, and then allow the questioning. Then we'll know exactly how much time is left per party.

**Mr Collins:** We'll begin then. Bev Stewart will speak to the legislation on the College of Teachers. Then we'll follow that with Larry Langdon speaking to the legislation on the office of accountability.

**Mrs Bev Stewart:** We appreciate the opportunity to present. I'm Bev Stewart. I'm a supervisory officer with the York Region Board of Education and have been so for the last eight years. Richard, nice to see you; and, Bud, we had an opportunity to meet last week.

We'd like, first of all, to emphasize that we do support both of these bills and that we feel strongly there are really important aspects of the bills that can be used to utilize and improve education in the province for students.

I'm not going to read through it, because the points are there, but I am going to highlight some of the points.

We certainly feel that the College of Teachers, through the people who are in the College of Teachers, can set standards and improve and accredit professional development for teachers. We agree that the representation should be broadly across the province. We certainly do support the value of learning throughout a member's career. We think that's a very important aspect.

We think there should be more pre-service and in-service plans and certainly appreciate that young teachers are given an emphasis in this act; that they will be given more support through mentoring programs and through in-service programs, support that can be documented. We feel that's very important. Our young teachers need all the support they can get in their first years of teaching.

We agree that people in leadership positions can help design the roles.

One concern we had was that in the development of the membership of the council there is only mention of one supervisory officer. We have worked closely in our association, and particularly with OCSOA, the Ontario Catholic Supervisory Officers' Association, and each one of us, as an association member, ASFO, OCSOA and OPSOA, represents our own constituency. We each have legislative responsibilities in terms of documenting and working with and improving educational delivery in our schools, but each of us has a particular interest, which is also referenced in this act through the inclusion of representation of parents and public representatives who represent French, Catholic and public education. So to name only one supervisory officer seems inappropriate and imbalanced because each of us has a constituency that we have to represent.

We also are bound by our own legislation, and the reason we got to where we're getting is that we are there to evaluate, monitor and improve the teaching of teachers. We would like very much to feel that we still have a say, each of us, again representing our own constituency, in continuing that.

We have some concern, because it's absent, if anything, from the act, about the degree or the definition of "misconduct" or "inappropriate behaviour" on the part of teachers. Daily we are confronted with trying to improve educational delivery, and I don't just mean in a curricular sense. If we find in our own jobs teachers who are not performing at an adequate level, there are legislative responsibilities for us to undertake to improve that. We're not sure whether this act is clear enough yet on what it is that constitutes professional misconduct. We're assuming, although it's not, again, specified, that it's something in the nature of a very severe action, something that would harm, physically or mentally, a student, for which I think a severe requirement or a severe consequence is required.

We ask that you look very closely at the work of the supervisory officers and how they can be an adjunct to the College of Teachers and how we can support what the college is promoting. Certainly we're doing that even now in certain professional development activities and so on.

The clarification part in the paper here is not so much for response right now. We know that the regulations, as they are developed, will spin out many of the things that are contained in our request for clarifications. Particularly, we're concerned about the definition of "teacher" that's in there, because it suggests that only those people who are under contract in a public or a separate school are teachers, and yet the word "teacher" in the College of Teachers includes everyone who has an OTC, and certainly everyone who has an OTC doesn't fit under that contractual responsibility. Supervisory officers don't have contracts in the same way, but we all have OTCs and so on.

I think that's all I'll say right now. I'll respond to questions later and let Mr Langdon carry on.

**Mr Larry Langdon:** I'm director of education for the Prince Edward County Board of Education and have been in that position since January 1990. It's a great deal of



pleasure, as my colleagues expressed, the opportunity to speak to the committee in regard to our support for both the first bill and this particular bill. We strongly support the concept of the Education Quality and Accountability Office, and I say that for three prime reasons.

**1640**

First, we believe it is essential to evaluate on a province-wide basis the quality and effectiveness of Ontario education, both at the elementary and the secondary level. We say that for two reasons. We believe that such testing, if properly done, will lead definitely to the improvement of program and, secondly, will lead to the legitimate assessment of student progress.

The second positive we would point out to you is that the development of tests will truly reflect the Ontario curriculum, and the contracting out that has already been undertaken by the Education Quality and Accountability Office is moving towards those persons and groups that are already actively involved in the Ontario education continuum. We believe that those groups are most knowledgeable and best positioned in terms of being able to put tests together that are valid and indeed test that curriculum.

Third, we believe that this agency will have a great deal to do to assist with the establishment and maintenance of public support for education through demonstrating by this arm's-length agency the quality of the Ontario education system. We sit before you saying very clearly that, as Ontario public school officials in this province, we support the Ontario curriculum, we support the progress of what students are doing in the Ontario curriculum at both the elementary and secondary level, and we believe that our educational system is second to none, something we should all be proud of.

Very briefly, I would draw your attention to three concerns, perhaps recommendations. Taking a look at subsection 4(1) of Bill 30, while we believe that both clauses (a) and (b) are completely valid, we would like to see reference to a clause (c) that would provide the opportunities for boards to test beyond the sample provided by the EQAO, for a payment of a fee. In other words, there are boards in this province that perhaps would like to test all grade 3 students or all grade 6 students or all grade 9 or grade 11. We believe that should be available at the board's discretion to move forward in that area, subject to the same controls that those tests are used when they're used with the sampling.

Subsection 4(3): We have a concern we would draw to your attention and it falls in two categories. If you truly believe that the testing is for the improvement of program, then we have concerns with the status of English-as-a-second-language students, those students who come to Ontario whose first language is not English who are then tested on a test that depends upon the English language to ensure performance. We believe that has to be taken into account, not by exempting those students but by providing some controls that allow for the lack of English fluency to not be an impediment to test performance.

We would also draw your attention to a large number of students in this province who are in French immersion programs who do the vast majority of their work in

school in the French language, and therefore what test are they going to be testing? Are they going to be compared with French-as-a-first-language students on the French component, or are they going to be tested in comparison with English-language students who are taking all of their training in English? We believe that issue has to be looked at carefully.

The last and final point I'd make is to continue to ensure—the legislation is silent on this issue—that the utilization of such testing is not for the performance appraisal of teachers. We believe there are much more adequate mechanisms. Boards of education all across this province have a variety of methods that test teacher competence on a yearly basis. Teachers have no control over classroom groupings, where students come from, the socioeconomic background of some students that might influence what they can bring to the test, and we ask you therefore to take a look at this issue and ensure that the testing doesn't go beyond the original two components, which are the improvement of program and the assessment of student progress.

We'd be prepared to take questions on this bill, too.

**Mr Miclash:** Is Dick Coburn any relation to your committee at all? Does he have a position?

**Mr Collins:** Dick is a member of our organization.

**Mr Miclash:** He is northern representation of some sort?

**Mr Collins:** He was a past director of our board. He isn't at the moment, but he has been.

**Mr Miclash:** Something that Dick has always mentioned to me, and you people will be familiar with who I'm talking about, is the opportunity to participate in the drafting of legislation as it comes forward, and it's been a concern of his over the number of years that he's been involved with the association. Did you have any opportunity at all to participate in the drafting of either piece of legislation here, 30 or 31?

**Mr Collins:** Not to my knowledge.

**Mr Miclash:** Okay, and as I say, it is a concern.

In terms of the amount of detail the public have in regard to the college in particular and the makeup of the committees etc, do you find the public are asking a lot of questions, looking for more detail as to how this will affect their children and what effect it will have on education throughout the province? Are you getting a lot of questions from the general public on that one?

**Mr Langdon:** No, I don't think we are. I think, though, that the general public is very supportive of comprehensive system-wide testing. We saw with the grade 9 reading and writing tests that were done for two years, and achieved very positive results, that the public and that component of the public, the parents, found that information very useful, found it very supportive of the education their youngsters were receiving, and I believe would respond appropriately and favourably to these types of tests once they come forward in, we hope, a similar fashion.

**Mr Grant Yeo:** If I can continue, Mr Langdon and I are from different parts of the province. I'm from Lambton county. The questions we've been getting are about assessment and not the College of Teachers. There seems to be a sense that the College of Teachers legisla-

tion has had a great deal of discussion, and the questions we've had are about the grade 3 testing and the work that will be done with the teachers prior to that. So there is an interest in that part.

**Mrs Stewart:** If I could just add my voice to that, I can't recollect one single question, even in the local newspapers, regarding the College of Teachers, but there certainly is an ongoing interest in the forms of assessment, the regularity of it, the standardization of it and the information to be shared, and it's more at this point just an inquiry, not a passionate concern. It's just something they think will happen.

**Mr Patten:** Good to see you again. First of all, your comments related to Bill 30 are well taken. Most people have concentrated on Bill 31. One of the concerns that we had raised, likewise, as critics, has been the very large gap between grade 6 and grade 11, and seeing that it's such a tumultuous period of time, the maturation period, that lots of things happen and go on, that there should be a strengthening of the testing in that particular area, in the middle grades between the two, beyond simply some sample testing, so your idea is an interesting one.

If we took everyone's recommendation we would have a very large board, by the way, I might mention. But one of your questions under seeking clarification—I would ask, do you have legal counsel with you at the table?

**Interjection:** No.

**Mr Patten:** No. One of your questions is "on the application of the Freedom of Information and Protection of Privacy Act as it applies to the act to establish the Ontario College of Teachers." We're advised in writing from the commissioner, Tom Wright, that indeed it would not apply, which of course then raises another question, that if it does not apply to the college, then what does, especially using the model from the Regulated Health Professions Act, that it would be under that model, and if that were so, have you had any chance to reflect on what that would mean?

**Mrs Stewart:** If I can respond to that, I think that's what causes probably the most anxiety in any kind of group, in any teaching group: not knowing the amount of information that could become public information. As teachers and employees of educational facilities understand now, they know what information can be made public and what they're entitled to have shared. It would make them very nervous to know that it wasn't covered by the freedom of information act.

1650

**Mr Patten:** I would think so. We're awaiting comment from legislative counsel on, in the absence of that, what would then replace it or what vulnerabilities would occur given that clarification has been made. If you have any counsel that suggests ideas and you wish to share it with us, we would welcome very much your thoughts on that.

**Mr Collins:** We'll take that back. Thank you.

**Mr Wildman:** I would echo the comments of my colleague just now. We would welcome that information.

First, I'd like to ask a couple of questions with regard to the accountability office and testing. There has been some concern expressed, and I share this, that while we support testing and a more thorough program of testing than the current government is prepared to finance,

there's a tendency for the press, the media to use the results to compare board to board, school to school and for parents then to be influenced about selection of school on the basis of test results. I know most educators would think that's unwise, or an abuse of the information that is gained from province-wide testing. Could you comment on that and give some suggestions on how the office might avoid that?

**Mr Langdon:** I think the office has taken one step already where it's using the sampling in some of its testing which really gives a provincial profile, but doesn't necessarily give a full, comprehensive review of every student in the system. I think it's always going to be susceptible to that sort of a challenge. Any time you do that type of testing, the comparison is going to come out.

If I can use the grade 9 reading and writing as an example, we found that indeed was the initial reaction of the press, but when it occurred at the school and at the county level, more of the concern focused there on student performance and what you were going to do to respond within either the school or the board to what the test results showed you and the improvement in program and the assistance to improve student performance.

I think that's where you have to put your focus, Mr Wildman. I don't think there's any way you're going to avoid the initial exposure in terms of some of the things we had come out of the grade 9 reading and writing. I think there are some real pluses, though, that individual boards are able to use those tests for their most appropriate use.

**Mr Wildman:** I have a question about the suggestion that was made by representatives of the public school boards' association and by the separate school trustees' association, which both appeared before the committee, in which they expressed some concern with regard to duplication in the areas of discipline, investigation of alleged misconduct, questions of competence between the role of the board as the employer vis-à-vis the teacher as the employee and the college and concern that there might be duplication.

Do you share any of those concerns, and if so, would you advocate moving towards the BC model where the college there apparently in most cases, although there are a couple of exceptions, does not take action with regard to reviewing the question of removal of a teacher's certificate until the board process and the arbitration, the grievance procedure, all of that has been completed?

**Mrs Stewart:** I'd like to respond to that. I couldn't agree more. As I was studying the legislation, one of my main concerns was the point at which there was an overlapping of responsibilities. I think there are certain instances that supersede a normal process.

**Mr Wildman:** In BC, a criminal conviction, for instance.

**Mrs Stewart:** Exactly, and that's what I was referring to. Certainly there should be a process that's carried out to a point and then moves to the College of Teachers. There ought to be provisions somewhere in the act for moving along a process that seems to be stalled. I guess an investigation or a review committee could do that, but that would be one of my major concerns and the BC model seems to fill that bill.



**Mrs Lillian Ross (Hamilton West):** Thank you for coming forward today. Many of the teachers' federations that have come to this committee have stated that they don't believe supervisory officials should be classified as classroom teachers. I wonder if you could give me your opinion on that.

**Mrs Stewart:** I would have to agree. By definition, we're not classroom teachers, but we're all certified teachers and we've had to go through a series of examinations and promotions to get to the position we're in now to administer teachers. I think the difficulty is that you're trying to separate management and union and in a college there shouldn't be that management-union separation. We believe if we are to be included in the College of Teachers, then our say is equally as relevant and important, especially based on the fact that we do a lot of disciplinary management as it is now, as well as professional development.

**Mrs Ross:** I want to ask you another question on the office of accountability. I didn't write the words down exactly as you said them, but you made the comment that you felt controls should be in place so that lack of English wouldn't be an impediment to passing some of the tests. I just wonder if you could give me some suggestions as to how we could accommodate that. You also mentioned it in relation to the French language, I think.

**Mr Langdon:** What I would say in regard to that is that I think, first of all, there has to be a recognition that some students going into that process are going to be disadvantaged because of their fluency in English or the fact that even though English is their first language, they've spent most of their school career in early immersion programs.

The controls I refer to are a recognition within the test that could be even built up over time which say normally students who take this test at grade 3, who are recent entries to the Ontario educational system, perform at such-and-such a level, and some sort of tracking that says this should not therefore be a measure of their proficiency in mathematics, in the sense used for the sole judgement of what student progress might be all about.

I think it's always going to be an ongoing area to say what the difference is between outcomes and student achievement. We would hope the testing agency could take a look at this and over a period of time even deal with tests that might test separately these particular youngsters' proficiency that could take into account the impediment that has nothing to do with their ability to achieve the outcome. The impediment is in the translation from what the test is asking them to do or their understanding of what needs to be done. I don't mean to portray it as simple, but I think it's something we would address to you very strongly.

**Mrs Stewart:** To elaborate for a moment on that, coming from an area where all the schools with which I deal, the 10 schools with which I deal, are very heavily multilingual, we've experienced that very same situation during a recent standardized test given grade 3 and grade 6. The difficulty with a one-shot test is, it measures achievement at that particular moment but it doesn't measure progress.

I think when we're dealing with students who are acquiring English, you have to have that element of measured progress in there to show the degree to which they have improved over time. I think that's a critical issue. One of the most critical issues in any kind of assessment program is educating the public to what that assessment stands for and how to look at it down the road, to see whether there has been progress made, which would also take into account the progress made in areas where children have had less opportunity for learning.

**Mrs Ross:** I just want to follow up on that. At some point in time, there has to be a level you reach that says you've been here for so long and you should be able to pass a test after a certain time. How long? I guess you have to put in some sort of a benchmark somewhere along the line.

**Mrs Stewart:** We already have that research data. It takes five to seven years to acquire a language proficiently. You can acquire fluency in a language within a year or two, but to acquire academic conceptualization takes five to seven years. That gives you some idea of the extent of it. When you have students enter without English at grade 7, they are in a far worse situation than someone entering at age 5.

**Mr Newman:** Welcome to the committee. Do you think the preparation and training that teachers will have on standard-based assessments will help them teach more consistently across the province?

**Mr Langdon:** I don't think there's any doubt it's going to be one of the tools that are really going to provide direction for teachers as they design the classroom curriculum. I think the testing has to be very specific in what is expected in terms of outcomes, and hopefully then leave the teaching to the teachers where they have the training to go forward.

**The Acting Chair:** Thank you very much for your presentation.

1700

#### FÉDÉRATION DES ASSOCIATIONS DE PARENTS FRANCOPHONES DE L'ONTARIO

**The Acting Chair:** I call forward la Fédération des associations de parents francophones de l'Ontario. Thank you very much for joining us.

**Ms Francesca Piredda:** Thank you for allowing us.

**The Acting Chair:** You will have 30 minutes, and you may use your presentation.

**Ms Piredda:** Have you have seen the length of the brief?

**The Acting Chair:** Actually, I haven't had a chance to look at it yet.

**Ms Piredda:** I would like to say that our presentation will be made in French. We will be reverting to English occasionally to stress a point perhaps, but I really hope you have the equipment necessary to follow me in English and French.

**The Acting Chair:** Indeed we do, oui.

**Ms Piredda:** Very good. We're all set.

Marie Biron is here with me today from la Fédération des associations de parents francophones de l'Ontario.

We want to speak in support of both the establishment of the Ontario College of Teachers and the Education Quality and Accountability Office. I'll be glad to answer questions afterwards in English.

We are the federation of French-language parents in French-language schools, both Catholic and public schools. We are the only provincial organization and we have been in existence for over 50 years. We have the privilege of experience, and I think also of a very modern outlook. We are elected by delegates from member schools throughout the province. We have members in associations in over 100 schools throughout Ontario, which means about a third of French-language schools, and we estimate we represent about 75% of existing associations with statutes and regulations in the province.

À propos de l'Office de la qualité et de la responsabilité en éducation, la Fédération veut exprimer son appui à la création de cet Office. Comme nous le signalions à la Commission royale, «Nous croyons que lorsque des objectifs sont établis, lorsque le succès ou l'échec sont visibles, les intervenants peuvent mieux assumer leurs responsabilités.»

À cet effet, la FAPFO recommande que l'Office soit responsable d'informer les parents des évaluations provinciales annuelles. Il est important de rejoindre le plus grand nombre de parents possible, de leur faire part de ce que les tests vont mesurer, qui sera évalué et quand, ainsi que des dates prévues pour la diffusion des résultats. Il ne suffit pas de dire que l'Office rend compte au public dans son ensemble sans prévoir une responsabilité particulière vis-à-vis des parents.

Dans la pratique, nous croyons que l'Office doit être responsable des fonctions suivantes :

(1) entreprendre des évaluations ponctuelles et périodiques ;

(2) évaluer la compétence linguistique en langue première et en langue seconde, et permettre aux francophones et aux anglophones qui le désirent de passer les deux tests de compétence linguistique afin de refléter les connaissances et l'avantage des élèves d'expression française et d'expression anglaise qui ont une compétence dans les deux langues.

Les résultats des élèves francophones de l'Ontario aux tests internationaux, nationaux et provinciaux montrent un écart significatif avec les résultats des élèves de langue anglaise, un écart inférieur. Nous souhaitons que l'Office mette en place un mécanisme neutre et professionnel qui permettra d'élaborer et d'assurer l'implantation des mesures correctives nécessaires.

La FAPFO recommande que l'Office communique les résultats directement aux parents, en particulier résultats individuels des élèves, résultats collectifs de l'école, résultats de l'ensemble de la province par conseil scolaire, afin d'assurer une transparence au processus ;

— renseigner les parents sur les liens entre le programme d'étude et le testing, tout en indiquant ce que le testing mesure ;

— renseigner les parents des facteurs de pondération, des mesures de normalisation et de toute autre technique utilisée pour ajuster les résultats.

— I think it's important to communicate results within the same province or the same community, making comparisons between boards and linguistic communities;

— proposer les mesures correctives pour les élèves évalués et valider leur mise en oeuvre, afin que l'évaluation et le testing soient un outil d'apprentissage, pas punitif ;

— proposer la formation initiale et continue requise par le personnel enseignant, par suite de l'évaluation du rendement scolaire de nos enfants.

Puisque l'Office doit pouvoir améliorer et vérifier les normes de qualité de l'éducation de langue française aussi bien que de l'éducation de langue anglaise, il est essentiel que le statut du français à l'Office soit reconnu officiellement dans la loi, au moyen d'un préambule.

Je passe maintenant à l'Ordre des enseignants.

I would like to say that there is symbolism in the French wording of the teachers' college. In French it is called "Ordre des enseignantes et des enseignants"; "ordre" in French means professional group and it also means order in the sense of an orderly process.

**Mr Wildman:** Like a religious order.

**Ms Piredda:** Yes, and also a command, but we will skip those two. We feel a need for a process that is clear, accountable, inclusive, transparent and efficient. We said at the royal commission that excellence cannot be in the school without the competence of teachers.

Nous croyons que le mandat de l'Ordre des enseignantes et des enseignants pourra définir les normes de compétence du personnel enseignant et permettra de répondre aux besoins éducatifs des élèves inscrits dans toutes les écoles de langue française de cette province.

Pour traiter des situations et des défis spécifiques à l'éducation de langue française en Ontario, la FAPFO appuie fortement le principe que ce soient des francophones qui décident des normes particulières pour les enseignantes et les enseignants de langue française. Nous demandons aussi que ce soient des francophones qui traitent de tous les éléments du mandat de l'Ordre des enseignants touchant à l'éducation en français.

Pour cela, il est essentiel que le statut du français soit reconnu officiellement dans la loi, au moyen d'un préambule.

De fait, l'article 41 du projet de loi indique que «toute personne a le droit d'utiliser le français dans ses rapports avec l'Ordre». Il nous semble important de bien définir l'étendue des rapports. Qu'est-ce qu'un rapport ? À cet égard, nous pensons qu'il faut inclure une définition qui affirmerait que les rapports comprennent les services offerts aux membres et au public, les communications internes et externes et les démarches administratives.

L'Ordre doit être en mesure d'établir des normes professionnelles à l'appui de la formation initiale et continue du personnel enseignant. Le personnel enseignant des écoles de langue française devra être en mesure d'enseigner efficacement dans un milieu où le français est en situation de minorité avec toutes les fonctions de récupération du niveau de la langue et toutes les stratégies menant à l'adhésion à la culture de la communauté francophone.

Au sujet de la composition de l'Ordre, nous pensons qu'il faut assurer une meilleure représentation des intérêts éducatifs des francophones en assurant que la composition du conseil d'administration comprenne des membres



de l'éducation catholique française, de l'éducation catholique anglaise, de l'éducation publique anglaise et de l'éducation publique française.

Nous sommes convaincus, du fait de notre expérience et du réseau que nous avons dans la province, que nous sommes le seul organisme représentant les parents qui ont inscrit leurs enfants dans les écoles catholiques ou publiques de langue française en Ontario et, par définition, l'organisme en mesure d'entreprendre les démarches de nomination de parents francophones à l'Ordre. Nous vous demandons, dans les règlements connexes à la Loi, de reconnaître notre Fédération comme l'organisme qui fera ces nominations.

1710

**Mr Wildman:** Merci beaucoup. I am interested in your comments in terms of the membership on the board and the recognition of French in dealings with the college. Have you had any discussions with officials of the implementation committee and/or officials of the ministry with regard to this request?

**Ms Piredda:** Yes. Quite a number of us from francophone associations in education met a few months ago and we did bring it up. I can't speak particularly for parents. I think that if there is to be one parent or if there are to be a number of laypeople, those persons should be capable of appreciating the necessity of giving equal weight to the two components of the French-language system. It takes persons who have made a commitment to it who have been working with associations that were committed to the principle of giving equal importance and access to both components.

As regards the nomination of parents, I think we've done a wonderful job of managing to reach a level of understanding with a maximum of associations throughout the province. Most of them are Catholic, by the way, but we have understood that we were such a small, emerging movement that we had to work together, and we are working together and we have been working together.

**Mr Wildman:** With regard to the accountability office you point out, as I guess most members of the committee are aware, that the performance of francophone students on standardized tests has not met the same level as that of anglophone students generally; of course, there are lots of exceptions, but in general. This would make the work of the office, I think, very important for your community. Have you had indication of a specific interest in that area from the officials of the proposed accountability office?

**Ms Piredda:** I have had, personally, hardly any contact with the accountability office. I would welcome them in the future. We have been bringing forth this difficult subject of saying that we want an education in French but that this education is not giving the results we wanted.

**Mr Wildman:** It must be equal.

**Ms Piredda:** It must be equal, and testing is the first, perhaps limited, proof that there is a problem. You must understand it is difficult to work with educators and say, "We are here because we are worried." We have been hearing some sense of responsibility towards this, and definitely the office appears to be a very important element in explaining how a French-language student, for

instance, may not be superbly proficient in French but perhaps has other qualities which are not being tested right now. For instance, as we all know, francophones are much more bilingual than anglophones. It's a delicate subject, because we don't want them to be too anglophone, but on the other hand it's an advantage that they have. So we want to measure our strengths as well as our weaknesses and make progress.

**Mr Wildman:** The aboriginal community has raised, for obvious reasons, similar concerns with regard to their language and culture and the results in terms of education for aboriginal people, which are abysmal, and they have pointed that out very clearly before this committee. I'm hoping that the accountability office will make a significant effort in terms of the francophone community and the concerns you've raised as well as the aboriginal community.

**Mrs Ross:** I just have a couple of questions. They may sound like they're foolish questions to you but I hope you'll bear with me. You made a comment about language proficiency and that perhaps students who were involved in French immersion should be allowed to take those tests in both languages, English and French. I raise this because the last group that was here commented that in a multicultural community, some of those individuals who are learning English as a second language may be fluent but not proficient in English—there's a difference—and that it takes them about five to seven years. I just wonder if you could comment on that with respect to the French language.

**Ms Piredda:** We are always interested in hearing officials from English-language schools speaking about the different levels of language, particularly in big cities, because there are a number of newcomers who don't master English.

In the French-language system, the diversity of the levels of language can be very significant, depending on where you were brought up, depending on how francophone your family is, depending on the level of awareness of the cultural environment in French. With respect to French-language students we hypothesize, and we would like to have more hard proof about it, that perhaps they reach a maturity of language which is later than for a student who would be mostly in an anglophone milieu. On the other hand, we would not want to believe that too much, because it's easy to say, "He will flourish later"; you don't want children to blossom too late, of course. Besides, I am not too certain about how much time you need to really, truly master a language. There are different theories.

In general though, notwithstanding that, we also want them to speak and write a very good standard or slightly non-standard French, we want them to be very capable of reading difficult math instructions and we want them to be exactly like you would expect all students in this province to be. We also want to specify that as a child goes through school in a French-language school, he probably is picking up a lot of English, and this to us is not a disadvantage at all, but rather should be measured if it is something that can provide a better portrait of the student's accomplishment. We suggest it is something worth exploring, and perhaps there are some comparisons

that could be drawn with English-language schools as well, the reverse.

1720

**Mrs Ross:** Do you think there's a difference between fluency and proficiency?

**Ms Piredda:** I'm not a linguist. I'm a demi-linguist, which is a specialty of this country. I have a schoolmate who learned French from speaking only Swedish, within three months, and came to be number one in the class. I remember that, and I have high standards about the speed at which some children can learn a first or second language.

Accommodations have to be made for milieus that are extremely isolated. A school that is isolated in a very English-speaking area of course might not have the same achievements as another one in a more uniform francophone community. All the same, I don't want this to be used as an excuse; I want this to be used as a way of improving.

**Mr Smith:** During your presentation that dealt with the accountability office, you made reference to the need for spot and periodic assessments. Have you given any thought to the frequency at which these assessments should occur?

**Ms Piredda:** I think it is a matter of money. I'm afraid we've not considered this very carefully. I know one assessment, recent testing, disappeared in the clouds and I've not heard from. I certainly would like people to know how frequent they are and be told exactly where they are going. There's been perhaps a not very broad dissemination of information. I would expect them to be on a regular basis, but we have not particularly studied whether it would be more useful that they be every year or every two years or every three years.

**M. Patten :** Merci pour votre présentation. Une clarification, s'il vous plaît. Votre point sur les examens de langue seconde : est-ce que vous proposez ça pour anglophones et francophones aussi ?

**M<sup>me</sup> Piredda :** C'est cela qui est très intéressant, parce que justement, nous nous comparons aujourd'hui aux anglophones. Quand nous nous comparons à la langue écrite et lue, lecture et écriture, nous voyons une différence, une infériorité. Alors, nous pensons qu'une façon de faire un portrait global du jeune anglophone ou du jeune francophone, c'est dire, où sont les forces ? J'ai appris il y a quelque temps qu'on ne peut pas toujours regarder les problèmes. Il faut regarder les avantages.

**M. Patten :** Évidemment. Je pense que c'est très valable.

Un deuxième point, sur le projet de loi 31, est-ce qu'un terme comme «Collège des enseignants» ne marche pas très bien ?

**M<sup>me</sup> Piredda :** Comme terme ?

**M. Patten :** Pour remplacer «Ordre» ?

**M<sup>me</sup> Piredda :** Non, absolument pas. Je ne voulais pas faire de suggestion. «Ordre» est magnifique. Ça sert bien.

**M. Patten :** Dans le projet de loi je vois mentionné le système francophone. Il me semble que votre point est toujours que le système francophone se compose de deux secteurs : du secteur catholique et du secteur public. Dans chaque division, comme parent ou enseignant ou superviseur ou quoi qu'il soit, comment est-ce que le comité

peut faire la distinction entre les deux pour avoir une balance pour pouvoir prendre une décision comme ça ?

**M<sup>me</sup> Piredda :** Il devrait y avoir un équilibre. Je sais que le comité de mise en oeuvre a dû faire des calculs très complexes pour décider des quorums, de l'équilibre, de la participation. À notre avis, à tous les niveaux il serait du moins important que s'il n'y a qu'un membre, il faut qu'il soit capable de connaître, d'expliquer les deux points de vue, parce que la francophonie en matière d'éducation a choisi d'avoir deux systèmes. Par contre, il serait infiniment plus équitable d'avoir deux membres, parce que deux membres, c'est deux voix.

**Mr Patten:** Merci bien.

**The Acting Chair:** Merci. Thank you very much for your presentation. It was much appreciated.

## VOICE FOR HEARING IMPAIRED CHILDREN

**The Acting Chair:** I call forward Voice for Hearing Impaired Children. Thank you for joining us.

I want to inform our presenters, as well as committee members, that we've just learned a vote is scheduled for 5:45 this afternoon. With agreement from all three parties, I recommend that we proceed with the presentation and see how far we can get through to questions, and if we are interrupted and are not complete before the vote happens, that we come back and complete our questioning afterwards. Is that okay with everybody here?

**Mr Wildman:** If it's acceptable to the presenters.

**The Acting Chair:** Is that fine with the presenters as well?

**Ms Rosemary Pryde:** Yes, it is, thank you.

**The Acting Chair:** Please proceed.

**Ms Pryde:** First I'd like to introduce you to Cherrie-Anne Robinson, who is my oral interpreter. She doesn't sign. She actually mouths the words of what is being said, and she will be a great help to me with questions that any of you might have for me a little later on.

My name is Rosemary Pryde and I'm the executive director of Voice for Hearing Impaired Children. We greatly appreciate the opportunity to speak to you this afternoon. I realize that it's probably been a very long day and I'm the last speaker, so I will try to be as brief as possible.

For those of you who are not familiar with my organization, we are a parent support organization that provides information and support and services to families with hearing-impaired children. We've been doing this since 1963. We have chapters across Ontario and have recently expanded into other provinces.

We believe that most deaf children, even with profound hearing losses, can learn how to communicate orally just as I am doing, with early diagnosis, good hearing aids and intensive language development therapy. Our goal for these children is that they have the same opportunities as their hearing peers in regular classroom settings, working with the help of specialist teachers that we call itinerant teachers of the deaf, and it's in the context of this goal that I'm here to speak to you today.

I want to speak very briefly on Bill 30. We have one issue that we would like to bring before the committee. We support the intent of the bill and want to talk very briefly about the idea of testing, specifically testing



situations and environments for deaf and hard-of-hearing children.

In many situations, deaf children are tested on deaf norms, because many years ago educational authorities believed that because of language delay caused by deafness these children would be at an insurmountable disadvantage if they were tested against the norms for the general population. Our organization feels that we're preparing our children to enter the normal world, and we want them to be tested against the norms of the general population as long as they have appropriate support.

There is a particular section of this bill, section 29, paragraph 3.3, which talks about establishing policies and guidelines for the assessment of academic achievement. It is in this section that we would like to see specific guidelines established for the preparation and the testing environment for these deaf children. Something as simple as providing written exam guidelines rather than a teacher orally instructing at the beginning of the class can make a world of difference. The test is half an hour. If that's spoken, that may not get through to the deaf child.

Consultation with the specialist teachers, the itinerant teachers of the deaf, in the development of these guidelines would help to ensure that they are sufficient to meet the needs of deaf and hard-of-hearing students.

1730

With reference to Bill 31, we have a little more to say. Most of it is in my brief, but I want to highlight the two key areas we are concerned about. First of all, we support the bill. We think the responsibility of accrediting teacher training programs is important for the education of our children, and we're also pleased about the inclusion of community members on the governing council.

To give you an example, one of our teachers, in trying to define the difference between a specialist teacher of the deaf and a parent of a deaf child, said that the teacher is like someone running the 100-metre sprint and a parent runs the marathon. A parent is much more involved for a much longer time and, because of their obvious interest in the education of their child, they seek out opportunities, they do research, they bring a lot of information and guidance and advice to the table. We think it's wonderful that you are including this larger community, and hopefully parents will be part of that in the governing council.

We're not going to address the disciplinary sections of the bill as we don't feel that's part of our mandate. Our main focus is with objects 1 to 4 as they relate to training and accreditation of teachers of the deaf.

We understand and agree with the college's first priority to look at the regular teacher training program as it exists with a view to possibly changing, enhancing, expanding it, but we feel that training of teachers of deaf and hard-of-hearing children is an almost equal priority because those teachers also are classroom teachers. They provide very specific support, such as language development, to children who are in the regular classroom setting and they also deserve the attention being paid to the broader teaching population.

Understanding of language is a prerequisite to learning. This is pretty basic, but it's also key to understanding the importance of specialist teachers for deaf children. As I mentioned earlier, language delay is unfortunately a part

of deafness, particularly if a child is deaf from birth or prelingually deaf, which means that they're deaf before they learn language.

Itinerant teachers—I'll be using this term a lot—provide instruction and language development. Without them, our children will be unable to learn. I want to illustrate how important these teachers are by giving you a quote from a speech made by a mother of three deaf children, three deaf daughters—you can imagine. She was talking to a school board last week about potential cuts in the itinerant program, and she said this:

"The itinerant teacher of the deaf is my daughter's lifeline, her voice, her key to remaining in the regular classroom.

"One of my daughters wants to be a veterinarian. She is getting 90s in her high school. She would not be where she is today without years of academic support from the teacher of the deaf."

The reason I'm telling you all this is because I want, hopefully, to convey to you the importance of this particular kind of teacher and to now address the concerns we have about the training being provided. All teachers who are now graduating with diplomas in deaf education receive their advanced education through the teacher training program at York University. Voice is very concerned with the quality and level of training currently being provided. There is no specific training for itinerant teachers. There is very limited training in language development. In fact, the training specifically referring to language development, which is called auditory-verbal therapy, is actually an optional program. This concerns us, because the majority of children who are deaf and hard of hearing and in school board programs are oral and require the support in language development that the itinerant teacher can provide. Newly graduated teachers from the York program, particularly those in the northern part of the province, are really finding it hard because they haven't received the adequate training they need, and this really hurts our children. So we want to see a stronger emphasis on teaching of those teachers who are going to provide special language instruction to our children in regular schools.

We know the York University officials are at the moment reviewing their program, and that's why we came to you today. We anticipate that they are going to be doing perhaps a major, maybe a minor, overhaul of the teacher training program very soon and we really would hope the College of Teachers would work with York to make sure the training program meets the needs of the teachers so that they can meet the needs of the children.

One final thing I want to say before I invite questions refers to the prerequisites for entering this program. The Ontario teachers' qualifications, subsection 20(1), talks about students who are entering teacher training programs who are hearing-impaired and exempts those students from either a bachelor of education degree or an Ontario teacher's certificate or a temporary letter of standing. York University is trying to upgrade those deaf and hard-of-hearing students who are in their teacher program by providing a course called Introduction to Education. We question whether this is really sufficient to provide proper

teaching to our children and also ask that the College of Teachers take a look at that particular course to make sure it is sufficient.

We do urge the passing of both Bills 30 and 31 and ask that the standing committee include our recommendations, which are more clearly spelled out in the brief, in the body of the bills. All teachers, and teachers of deaf and hard-of-hearing children in particular, have a great responsibility for educating our children. The intent of the bills, as far as we can see, will only help to increase teaching excellence.

We thank you on behalf of the 1,000 Voice members and their children for your time today.

**Mr Pettit:** Thank you very much, Rosemary, for coming today. I too share your concerns about the limited training for itinerant teachers. I was reading, and you also mentioned, about the program at York University. Aside from the program at York, is there anything else the college could do to help prepare teachers to teach kids with special needs?

**Ms Pryde:** That's an interesting question. I haven't actually thought too much about that. Certainly one of the difficulties with the program at York is that it's at York. It's in Toronto, and it does somewhat restrict students, particularly mature students, coming from the northern part of the province, particularly those students who are already teachers, good classroom teachers who have taken some special ed courses and would very much like to upgrade their skills and become a teacher of the deaf but can't afford time away from their family for a year. It would be nice to see, as there is for teaching programs for teachers of the blind, either summer institutes or part-time training, and possibly in another part of the province.

**Mr Pettit:** Is York University the only university that provides this type of training? I just want to be clear on that.

**Ms Pryde:** Yes, it is. The program used to be provided through the provincial school for the deaf in Belleville and it was moved to a university setting, I think about four years ago.

**Mr Pettit:** Would it be your view that perhaps we need more than just York University for training for itinerant teachers?

**Ms Pryde:** To make it accessible to mature students in the north and to also increase the practicum placements. Right now, the teachers in the program have a specific chunk of time where they actually go out to the schools. They go to the provincial schools for the deaf and they go to school boards. They don't go to any rural schools, they don't go to any northern schools, and things are a lot different in rural schools and northern schools. Particularly for those students who are going to eventually be teaching in school board programs outside the Metro area, it's really important that they know what they're up against, because they have to be just about everything to the students in those isolated areas.

1740

**Mrs Ecker:** Thank you very much for coming this afternoon. I understand that the Education Quality and Accountability Office will be developing a set of policies and procedures to ensure that as many students as

possible can engage in the testing and be measured and whatever, and I understand they're going to be consulting with groups with expertise in this area.

I wanted to change the subject here a bit. You mentioned itinerant teachers. What are the qualifications for those itinerant teachers? Are they the same as a teacher in a classroom or is there anything different? What's different about them?

**Ms Pryde:** The qualifications to enter into training to become an itinerant teacher are the same as for any other post-graduate program. If they're hearing, they need to have a bachelor of education degree.

The qualifications, as they're laid out right now, to become an itinerant teacher of the deaf would be to complete the program at York University and receive a diploma, and for that the student teachers would receive instruction in different communication approaches. I'm sure you're all aware that signing is one approach that's perhaps a little more visible than the way we are interpreting. There's some training in deaf culture, there's some training in audiology, a little bit of training in audiology, very little in language development, some in American sign language if the students don't have it—they must be proficient in American sign language by the time they leave—and then the practicum, which really forms the bulk of the program.

They don't get the kind of language development that is really key. Most teachers in the regular teaching program do get language development. That's pretty important for regular teachers. It's even more important for our kids because they don't hear, or if they hear, it's distorted, and the development is different and it's slower. They're not picking up all the idioms around them, as hearing children are. So that's one element that is still missing.

The teachers in the program—and some of them are actually teachers and they have been classroom teachers or have completed either a bachelor of education degree or the teacher's training program. They're good, they're enthusiastic and they want to help, but they don't yet have the wherewithal to do it.

The itinerant teacher is often the only person available to either one child or 20 children in a school board area. They have to provide support to the classroom teacher; they have to troubleshoot for hearing aids, which always go on the fritz. They have to invent language games. They have to assess on a regular basis, sometimes even a weekly basis, the hearing level of a child, because that changes, and not just because of colds. Some children have progressive losses, where loss goes down and up and down and up. They have to know the subjects the students are learning in their regular class so that they can tutor them, particularly the language-rich subjects: English and history and that kind of thing.

**Mr Michlash:** It's not really a question, but I'd just like to say that I appreciated your comments. It certainly has been an education for me. Particularly your comments regarding rural and northern Ontario I think will serve well in terms of the deliberations we get into in terms of both Bills 30 and 31. Again, I'd just like to thank you for those comments.



**Mr Patten:** My question was similar to Ms Ecker's question, but let me ask you this. The distribution of qualified teachers: What can you tell me about that in terms of the province? Is it more difficult in the north, is it more difficult in eastern Ontario, places of that nature, to find your very best qualified teachers?

**Ms Pryde:** It's the same as everything else, doctors and other professions. There are more people to choose from in the metropolitan areas. There's more money generally, although this seems to be changing, so there's more choice, and because there are more people in the system itself, the teachers can learn from each other and share information and troubleshoot.

In the north—and I'll give you one specific example in North Bay. We have a teacher who is not yet qualified who would like to be qualified. She is actually working with hearing-impaired children, some of ours in the school board. She can't get qualified unless she goes to York for a year, and in all probability she has more skills than some of the teachers coming out of the program because she's been doing it for so many years. She's an exception, unfortunately.

Everybody says this, but we really need to concentrate our efforts more in the north and also in rural areas. I heard today about a family down in the Niagara Peninsula that there are no services, period. Nothing. They've just moved into the area. There's nothing available for them.

**Mr Patten:** Does this mean the youngsters would have to travel to go to the nearest location, and does that happen very often?

**Ms Pryde:** Parents have moved to provide their children with service, and parents have not moved. I remember a dad who lived just outside of Toronto calling me because he had been offered a wonderful job—I won't tell you where, but in central Ontario—and he wanted to know what services were available. At that time there was nothing for his daughter, so he didn't take the promotion. That's pretty sad. We're talking basic education here, too. We're not talking anything beyond reading and writing and arithmetic and all those basic things. So yes, parents have to make very difficult choices. When you think about the fact that there are teachers who could be available—often what a child needs is maybe a half an hour a day or an hour two times a week of language tutoring and troubleshooting—that's a pretty small price, I would think, to pay to ensure that the child is learning in the same way as his classmates.

**Mr Wildman:** I'm wondering if the initiative to integrate students into the general population, into the normal classroom, has exacerbated the problem of the availability of itinerant teachers for your community.

**Ms Pryde:** I'm not sure that I understand.

**Mr Wildman:** I'm just saying, if we are attempting to integrate students into the classrooms rather than segregating them in special classes, does that mean we need

more teachers and does that mean we're facing a shortage in some areas, or not?

**Ms Pryde:** We don't necessarily need more teachers when we're integrating a child into a regular class; we need more itinerant teachers.

**Mr Wildman:** Yes, that's what I was asking.

**Ms Pryde:** There are other teachers of the deaf who provide teaching in what are called self-contained programs, as you had mentioned, or segregated programs. In fact, up in Thunder Bay several years ago, before there was a Voice chapter in Thunder Bay—just before—we talked to the school board about the possibility of taking one of the teachers who was providing service in a segregated class and having that teacher do itinerant work. The school board, much to its credit, agreed. That teacher, instead of working with five children all day, is now working with about 15 children. So it can balance out. It's a challenge for the smaller school boards to do that, but it does eventually balance out. And in our view, integration does provide a much superior learning environment for the child.

**Mr Wildman:** I'm in support of integration as well. My initial question was about the need for itinerant teachers, and you've indicated that, yes, it does mean we need more itinerant teachers.

**Ms Pryde:** We certainly need more itinerant teachers. We may eventually need fewer teachers in segregated programs, so what we need to do is make sure those teachers have all the training they need in order to become really good itinerant teachers of the deaf. They need to be troubleshooters, they need to work very closely with classroom teachers all the time, whereas the teachers in the segregated class don't, because they have their own class. But the other ones have to be diplomats. I mean, there are all kinds of skills that aren't necessarily readily available for some of these teachers that they will pick up very quickly as long as they're given the opportunity to do so.

They also probably need a little more tutoring themselves in the subjects in the regular classrooms, because you immediately jump up when a student goes into a regular classroom; their learning curve gets a bit steep initially. There's a fair amount of learning that has to take place because the regular classrooms are often ahead of the segregated class.

**The Acting Chair:** Thank you very much, Ms Pryde, for your presentation.

Before we adjourn—by the way, we've made it, which is great; the vote hasn't been called yet, so no interruption—I'd like to acknowledge the presence in the audience today of a former member of the Legislature and former Minister of Education. Bette Stephenson is sitting in the back, who I see has been watching things very closely. It's nice to see you. Thank you for being here.

This committee stands adjourned until tomorrow, Wednesday, April 24, at 10 am.

*The committee adjourned at 1753.*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Miclash, Frank (Kenora L) for Mr Gerretsen

Ross, Lillian (Hamilton West / -Ouest PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

**Clerk pro tem / Greffier par intérim:** Doug Amott

**Staff / Personnel:** Ted Glenn, research officer, Legislative Research Service



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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 24 April 1996

# Journal des débats (Hansard)

Mercredi 24 avril 1996

## Standing committee on social development

Education Quality and  
Accountability Office Act, 1995

Ontario College of Teachers Act, 1995

## Comité permanent des affaires sociales

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Loi de 1995 sur l'Ordre  
des enseignantes et des enseignants  
de l'Ontario

Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Wednesday 24 April 1996

*The committee met at 1006 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

**The Acting Chair (Mr Michael Gravelle):** Good morning. I believe we have a quorum, so we're going to begin today. Welcome to the last day of public hearings into Bill 30 and Bill 31.

My name is Michael Gravelle and I'm the acting Chair for our hearings today. Before we get started, I just want to remind the committee members that Friday, April 26, is the last day to get amendments to the clerk's office for clause-by-clause discussion next week. As long as they're received in the clerk's office, Lynn Mellor's office, by Friday, that will be acceptable.

**Mr Bud Wildman (Algoma):** Just in that regard, does the clerk know what the situation is with leg counsel? Will they have time, if they receive amendments today, to get them done by that time?

**Clerk Pro Tem (Mr Doug Arnott):** I don't know their situation. You would have to contact them.

**Mr Wildman:** We will be. We hope to have the amendments ready. We'll certainly be able to notify the committee which clauses we wish to amend, but if there's a holdup with leg counsel—I'm not being critical of them; they may have other things to do—we're not sure we'll have the final wording of the amendments. We certainly hope to.

**Mr Richard Patten (Ottawa Centre):** The date you suggested, that's for anybody?

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mercredi 24 avril 1996

**The Acting Chair:** Any member of the committee may present amendments.

**Mr Patten:** No, the deadline that you mentioned, it's for public input I'm talking about.

**The Acting Chair:** I believe it's for amendments to be put forward to the clerk's office.

**Mr Wildman:** The subcommittee had said that we hoped to have the amendments by that date. I'm just saying we're going to try to do that, but if there's a problem with legislative counsel, if they've got a lot of work backed up, we may not have the final wording of all the amendments. I hope that's not a problem for the committee.

**The Acting Chair:** Can we check and get clarification on that?

**Clerk Pro Tem:** Yes.

**The Acting Chair:** Okay, we'll get clarification on that, hopefully before the finish of our hearings today. Also, our research officer, Mr Glenn, has some information for the committee members and we may as well do that right now.

**Mr Ted Glenn:** Please find at your place this morning a response to a request for information from Mr Patten regarding the access to information and protection of privacy in self-regulated bodies in Ontario. If there are any questions, you can contact me.

ONTARIO FEDERATION OF  
HOME AND SCHOOL ASSOCIATIONS

**The Acting Chair:** I would like to begin the proceedings by calling the Ontario Federation of Home and School Associations, if they could come forward. Good morning and thank you for joining us today. You'll have 30 minutes for your presentation which you can use in whatever manner you wish. Whatever time is left over after your oral presentation will be divided equally among the three parties. We will ask you to introduce yourselves and proceed.

**Mrs Ann Smith:** My name is Ann Smith. I am president of the Ontario Federation of Home and School Associations. Norma McGuire is past president of the Ontario Federation of Home and School Associations, and Debbie Brick is a vice-president. Thank you for giving us an opportunity to speak to you this morning.

The Ontario Federation of Home and School Associations has been an effective voice for parents in the province of Ontario since 1916. We represent more than 20,000 paid members from all parts of the province. Coming from all walks of life, our diverse membership allows us a unique perspective on many issues and a broader understanding of the challenges facing the

education system today. Our unity comes from our commitment to advocating for young people to achieve our vision of the best for each student.

OFHSA's strength is in our structure of local associations, councils, regional boards and provincial federation communicating and working together.

We believe parents/guardians are willing and active partners with those delivering education programs and services. Research has indicated that parental involvement in a child's education is a major contributor to student success. The experience of OFHSA members has been that when parental involvement is encouraged, community support of the school is very high. Positive experiences, when shared, strengthen the bonds between home and the education community.

A visual depiction of our organization shows a closed triangle, with teachers and parents forming the base corners and the student representing the apex. Joining these points are arrows in each direction. On the back of our policy document, you will see our diagram showing this. This interrelationship is the focus of our energies. When the relationship is one where each party is accorded respect and their suggestions are welcomed and valued, everyone benefits.

When parents are welcomed into the decision-making process, the credibility of school staff, administration and government is enhanced.

The Ontario Federation of Home and School Associations supports the formation of the Ontario College of Teachers. In 1978, the members of the OFHSA passed, and have since reaffirmed, a policy resolution asking that the responsibility for setting and maintaining teachers' standards be turned over to a professional body.

In studying the final report, *The Privilege of Professionalism*, and the legislation which is before you, we have identified the areas on which we want to comment: public representation on the governing council, ongoing professional learning for teachers, pre-service education and accountability to the public. We will not comment on fees, committees or general matters of governance, as we believe these are matters to be determined by the parties most affected.

Public representation on the governing council. We agree with the proposal that 17 members will be elected to represent the teachers. The fee-paying members of the college should have the majority representation on the governing council.

We would encourage a strong representation of parents in the 14 appointed members. As an organization with an 80-year history of partnership with educators, OFHSA should have a member sitting on the governing council.

We believe that parents who sit on the governing council representing public interest should be supported by a large provincial grass-roots organization. Such an organization should have the means to communicate with and gather input from parents across the province. They must be accountable to the parents on whose behalf they speak. Representation from OFHSA, as well as the other two provincial parent organizations—the Federation of Catholic Parent-Teacher Associations of Ontario and *Fédération des associations de parents francophones de l'Ontario*—would be most appropriate.

We see the makeup of 17 elected members to 14 appointed public representatives as a fair and equitable balance. Just as we believe that parents must have the majority on school councils, teachers should have the majority on the Ontario College of Teachers.

Ongoing professional learning for teachers: The members of OFHSA have long demonstrated a concern for and a commitment to ongoing professional development. OFHSA policy since 1971 states that, "We support the objectives and principle of upgrading teachers' qualifications." In 1981, OFHSA took the position "that boards of education provide professional development workshops re the strategies for teaching reading or similar courses for all practising teachers."

We believe that the majority of teachers have a love of learning and a commitment to professional development. We believe that they desire to obtain any skills or knowledge of strategies which will help them better serve their students.

We support the principles for a professional learning framework, as listed in *The Privilege of Professionalism*, and assume that the college, once established, will accept these as the basis for further work. The report states:

"A provincial framework will establish a context within which the various constituents of the education system—school boards, independent schools, colleges, universities and professional organizations—may establish programs and strategies of professional learning."

Members of the Ontario Federation of Home and School Associations support the working together of these constituents.

We believe that the local boards of education and their schools should be the majority delivery system for professional learning programs. There is already established in our boards quality programming delivered with the context of meeting the needs of their local student community.

Regarding evaluation of teachers, an OFHSA policy from 1978 states, "That a timely, effective and standard manner of evaluating teachers' teaching abilities be developed considering the following: representatives of all affected parties (students, parents, teachers and board) be included in the process; standard evaluation criteria be applied province-wide; mandatory training in the use of evaluative techniques be given to all those involved."

We recognize the need for maintaining records of professional development of teachers and for ensuring that such development is taking place. However, we have a concern that additional bureaucratic layers not create unnecessary duplication. We believe that administrative personnel in local boards, who have responsibility for direct supervision of teachers, are best qualified to oversee these issues. Board reports might then be made to the college.

Pre-service education: A 1971 OFHSA policy states, "That the Ministry of Education and Training and the Ontario Teachers' Federation maintain some degree of control and supervision of the degree courses for teachers to ensure that such courses be specifically designed to provide for the training requirements of teachers, both academically and in the terms of classroom experience."

This is just one of many OFHSA policies addressing pre-service education. We support the transfer of author-



ity for accredited pre-service education to the college and the statement in The Privilege of Professionalism that "standards of practice for pre-service education must be developed in consultation with a wide range of groups in the educational community."

Pre-service programs delivered by our faculties of education must provide our student teachers with the necessary skills and strategies to meet the needs of the students they will face in the classroom of today.

Accountability of the college to the public: Bill 31 states, "Meetings of the governing council should take place four times a year and should be open both to the members and to the public."

We support the open access. At the same time, we respect the need to close meetings under certain circumstances. Members of the public who have some testimony which can assist in deliberations should be able to attend disciplinary and statutory committee hearings.

OFHSA's members welcome the required annual reporting by the college to the minister, to the public and to the Legislature. This is a clear response to issues of public accountability.

In summary, we want to stress our commitment to be active partners in the education of our students. We welcome the opportunity to share the experience we have gained in 80 years of representing the concerns of parents. The members of the Ontario Federation of Home and School Associations look forward to a more direct participation in the Ontario College of Teachers. Thank you for the opportunity to present at these hearings.

**Mr Patten:** Thank you for your presentation this morning. In the third sentence you said, "We represent more than 20,000 paid members."

**Mrs Smith:** Yes.

**Mr Patten:** Is that right?

**Mrs Smith:** Yes, that's correct.

**Mrs Norma McGuire:** Would you like an explanation of what we mean by "paid members"?

**Mr Patten:** Yes.

**Mrs McGuire:** Within our federation we have a membership fee that we charge to members so that we can run a provincial office.

**Mr Patten:** Oh, I see. Okay.

**Mrs McGuire:** These are people who have a commitment to education and to children and are willing to pay to belong to an organization that will represent them. We service all the children in the school and all the parents in the school, but there are people who are willing to be members and those are the people on whose behalf we speak.

1020

**Mr Patten:** Okay, fine. You didn't comment on the proportion of representation on the council in terms of teachers, which is the ongoing debate, as you may have gathered if you've followed any other representations here or anything in the press.

Many teacher federations are saying that the representation of 17 members isn't really classroom teachers and therefore they challenge the concept of this being a self-regulatory body as such, that it's such a tight, tight balance, if one or two representatives were ill and couldn't attend a meeting, it would really throw off the

representation in terms of them having a majority. While it wasn't part of your presentation, would you care to comment on that balance?

**Mrs Smith:** We have discussed this at great length actually. We still feel that the teachers should have a majority in speaking, and our comment at one time was that 17 would be the teachers and then the supervisory would have three, which would make it 20. That was pie in the sky, but we felt that rather than take away, we would add on.

**Mr Wildman:** I thank you for your presentation. I noticed that in response to my colleague Mr Patten, you've indicated that you think the 17 should be classroom teachers. The supervisory officials who have appeared before us have agreed that they are teachers but not classroom teachers. It's pretty obvious, but they've been asked the question and they've said that. Obviously, they play a very important role in evaluating teachers in ongoing education of teachers and training of teachers. Why do you think they should not be included in the 17, the teachers' component of the board of governors?

**Mrs McGuire:** We feel that 17 can be divided, but we perhaps think there should be more people than 17 representing the professionals.

**Mr Wildman:** You've also asked that your organization, recognizing the work you've done for many years on behalf of parents and students, should be represented on the board as part of the public component. Almost every non-teaching group that has appeared before us has said that it should be represented on the board. Obviously there is a limit to how many people we can put on a board. Have you had discussions with the ministry staff about your wish to be represented and have you had any indication from them as to how they are going to choose the people who will be appointed by the Lieutenant Governor in Council?

**Mrs Smith:** My understanding was that the Ontario Parent Council was recommending the three parent groups to represent the parent groups of Ontario.

**Mr Wildman:** That's correct. I just wondered if you had got a response from the ministry.

**Mrs Smith:** Not as yet, no. We represent our members and we are accountable to our members, so when we speak, we speak for 20,000 members across Ontario, and I feel that is a very good basis to have representation on the council, and that's why I would recommend that we be there.

**Mr Wildman:** I wasn't disputing that you should be; I was just wondering if you'd got a response from the ministry on that.

**Mrs Marion Boyd (London Centre):** Thank you for coming. I know very much about your work. One of the issues for us is that there seems to have been a concentration for people in talking about this bill on the disciplinary aspect of it. I noticed that you are really emphasizing the professional development aspect of it—and I know that's always been a real concern of yours—in the sections of your brief on both pre-service and ongoing professional learning. I know this is something you have been concerned about for many years.

You've been concerned about the apparent lack of control the Ministry of Education has over the kinds of

pre-service courses university faculties of education offer. Certainly when I was Minister of Education we talked about the need for a course on special education for every teacher, and a course on issues such as gender, race, social justice and so on. I gather from the enthusiasm with which you look at this act that you think the way this can be achieved would be through this kind of professional standard situation that's suggested in the act as part of the college's function.

**Mrs Smith:** That's correct, yes.

**Mrs Boyd:** I think you're right, because certainly the College of Physicians and Surgeons has a good deal of influence over the medical schools. They too reside in universities, and although universities are autonomous, there tends to be a mindfulness of what the college is saying around that kind of training. We see, for example, the college-based committee that's looking at community involvement for learning physicians as being an example of how a college can influence the actual training that happens. I gather this is really a culmination of dreams, in a way, for your federation.

**Mrs Smith:** Yes, for many years.

**Mr Toni Skarica (Wentworth North):** I have one or two brief questions. A lot of the testimony we've heard in these hearings has involved the governing council and the makeup of it. You seem to be in favour of the 17 teachers and the 14 nominated people who would be on it from the public.

The implementation committee, with reference to 14 members from the public, has indicated as follows: "The committee recommends the appointment of three parents, nominated by the Ontario Parent Council, representing the public, the separate and the French-language systems." That would mean the Ontario Parent Council would nominate the three people and it would seem you would not be involved in that process. Perhaps you could comment on that recommendation; or if you would be involved, I'd be interested in knowing.

**Mrs Smith:** My understanding is that the three parent groups that have a permanent seat on the Ontario Parent Council represent the parent groups of Ontario; the other individuals are not representing a particular group. My ideal would be one from each of these parent groups, which would include OFHSA.

**Mr Skarica:** Is it your understanding then, the way it's set up right now, that you would have input into nominating persons on that board?

**Mrs Smith:** Not necessarily, but it would be our wish that we would, yes.

**Mrs Janet Ecker (Durham West):** Thank you very much for taking the time to come today and giving us your insight. Have you had an opportunity to examine the Education Quality and Accountability Office at all and are there any comments or advice you might wish to offer to us on that basis? If you haven't had the opportunity to do that, could you perhaps give us some comments about the concerns you're hearing from parents about the assessment and reporting of student achievement, student learning?

**Mrs McGuire:** We have one or two people who are not with us today sitting on that committee. They report to us and give us as much information as they can. At

this point, I'm sorry. I've had the information; I didn't come prepared to discuss that, unfortunately. It didn't enter my mind, so I didn't think about it, but we do have people sitting on the committee who are looking at that.

**Mrs Ecker:** At that particular office, the proposals for that?

**Mrs McGuire:** Yes.

**Mrs Ecker:** Do you have any advice or comments based on some of the concerns you've heard from parents about how their students are learning, how they're being assessed, any advice based on that experience that you might wish to offer? I don't want to put you on the spot; I'm sorry if I am.

**Mrs Smith:** Actually, we've had many concerns at different times, but as far as having anything that I would feel comfortable speaking about at this time is concerned, I would prefer not to.

**Mrs Ecker:** One of the things you've talked about in your presentation is the public representation on the governing council. Would you support the inclusion of public members, making sure there's adequate and appropriate representation of the public on some of the other committees—the investigation, the discipline committee—of the college?

**Mrs Smith:** Yes, very much so.

1030

**The Acting Chair:** Thank you very much.

**Mrs McGuire:** May I make one comment, please?

**The Acting Chair:** Certainly.

**Mrs McGuire:** We have stated policies that have been on our books for many years. They may seem as though we have done nothing to update them, but they were good. Our predecessors set up good policies for us and we keep saying, "Yes, we still believe in these." This is why some of the dates are old, but we have been in this business and have been wanting something to happen since the 1970s and we've stuck in there.

**Mr Skarica:** It's like the Bible.

**Interjection:** Thank you for your persistence.

**Mrs Boyd:** I'd like to second that, because having been the recipient of many communications from you and knowing how vigorous your meetings can be, you certainly have reviewed all of these issues again and again. I think you're right: It is the quality of the original proposals that has certainly stood the test of time, and that should speak to us.

That's very important in the deliberations around this, that some of the things you've been asking for for well over 20 years are things that the royal commission echoed and that we're seeing in the report from the implementation committee. I think it should give us some comfort.

**The Acting Chair:** Thank you very much for your presentation. It's much appreciated.

#### BOARD OF TRADE OF METROPOLITAN TORONTO

**The Acting Chair:** If we could call forward the Board of Trade of Metropolitan Toronto education committee, good morning and welcome to the committee. Introduce yourselves if you would and feel free to proceed.



**Mr Dave Vincent:** My name is Dave Vincent. I'm the manager of training for the Royal Bank in the greater Metropolitan Toronto area and I'm representing the Board of Trade of Metropolitan Toronto. My colleague with me today is Shelagh O'Connor, who is the senior policy analyst at the board of trade.

I will just mention as well that the presentation I'm going through will not follow word for word the presentation you have in front of you. I'm changing that a little bit and I don't want to get you caught about three quarters of the way through the first page wondering exactly what presentation I'm making and whether I'm in the right room or not.

I want to describe very briefly the Board of Trade of Metropolitan Toronto. The Board of Trade of Metropolitan Toronto is Canada's largest and most successful community chamber of commerce and represents 10,000 members. It's funded exclusively by members and we've represented the views of Toronto area business to governments at all levels for more than 150 years.

The Board of Trade of Metropolitan Toronto expresses its strong support for Bill 31. We are pleased to be engaged in this healthy and extremely positive debate about a key initiative which has the underlying potential to substantially shape our future and the future of the children in Ontario going forward.

The fact that this bill has all-party support in principle really signifies the positive implications, the universal appeal and the strength of convictions this idea about creating a College of Teachers in our society has. While this debate will focus on many different stakeholders in our society, one of the real outcomes of this dialogue is that we are truly joining together in the best interests of the children in Ontario. The Board of Trade of Metropolitan Toronto has a positive and meaningful role in this dialogue.

The issue of a College of Teachers in Ontario has been a focus of ongoing discussion in various venues for a number of years. The board also has had a long history of supporting increased professionalism among Ontario's teachers. In 1988 the board favourably reviewed the recommendations of the reports *Teacher Education in Ontario* and *Final Report of the Teacher Education Review Steering Committee*. This latter report recommended the formation of a professional body for teachers in Ontario. At that time, the board supported an arm's-length relationship with the ministry and funding of the licensing body by teachers as opposed to government funding.

We have monitored through the education committee at the board the progress of the Ontario College of Teachers Implementation Committee and reviewed its report, *The Privilege of Professionalism*. While supporting the general thrust of the bill, the board recommends changes to the structure of the council and the college's accreditation standards for professional and ongoing training which would lead to improvements.

In summary, the board will address three points through this presentation: first, increasing council size to provide expanded lay representation; second, demonstrating the proposition that classroom teachers should constitute a majority of the college's governing council is indefensible; and thirdly, discussing how the quality of

education in Ontario is not competitive in a global marketplace.

The issues of the number of lay representatives relative to the entire council and having a majority of classroom teachers on the college's governing council are very much intertwined. The composition of the council's representation will be one of the enduring variables in the college's future activities. Therefore, the structure must be sound.

The considerable debate related to this structure is centred around the following key question: Who is the governing council ultimately responsible to, the public the college serves or the college's membership? While this question may seem rhetorical in nature, we must ultimately make choices about where the best interests are going to be served.

It is a meaningful exercise to review some of the evolution of professional self-government, as the past and present does set the tone and expectations of what society expects from professional self-government. The issue of self-regulation has received significant attention in many different forums as a number of professions have achieved self-government. As business people, consumers and parents, we have definitive views that we should have the opportunity to have active and substantial participation at the council level. However, we have to separate ourselves from the emotions of the issues and examine the premise and principles of self-government to ensure we are honouring the spirit and intent of this type of legislation.

The seminal work in Ontario is the 1968 McRuer report, which observed the following about self-government:

"The traditional justification for giving powers of self-regulation to any body is that the members of the body are best qualified to ensure that proper standards of competence and ethics are set and maintained. There is a clear public interest in the creation and observance of such standards. This public interest may have been well-served by the respective bodies which have brought to their task an awareness of their responsibility to the public they serve, but there is a real risk that the power may be exercised in the interests of the profession or occupation rather than in that of the public. This risk requires adequate safeguards to ensure that injury to the public interest does not arise."

The McRuer report clearly identifies the key role the public has in any effort to move forward towards self-government.

Carrying the argument and research further on public participation in self-governing bodies is the report from the task force struck by the Pew Health Professions Commission in the United States in December 1995. While the report is American in origin and focuses on health care professions, the principles and recommendations contained in the report are easily transferrable to many regulators in Canada.

The task force commented that many critics of self-regulated professions argue that self-interest and conflict of interest are inherent in self-regulation. To address that concern, public membership on regulatory boards is increasing rapidly. The rationale for inclusion of public

members is that they're supposed to challenge and complement board decision-making from a critical, non-professional perspective. Public representation should reflect the particular jurisdiction's urban, rural, ethnic and cultural communities.

The task force referred to Ontario's own Health Professions Regulatory Advisory Council as an example of an innovative board in which public participation is key. The task force found that the HPRAC had addressed the twin goals of increased effectiveness through oversight and accountability through public participation.

These two separate reports share a common thread. They clearly stipulate that the public needs to have a significant and active presence in self-governing bodies. While the McRuer report outlines the principles, the Pew report also reflects the social norms that are evident.

The general community wants to be involved in the self-governing process. More specifically, the people of Ontario outside the teaching profession want to be part of the education partnership at the governing council level. The legislation in question, Bill 31, outlines a governing council comprised of 17 elected members from the profession as well as 14 public members. Obviously, the profession is well-represented.

In principle, we recognize the governing council of the college must represent the range of views and interests that should be taken into account in the council's deliberations. The council should represent the diversity of the profession in Ontario. However, the board of trade believes that the views of professionals should be balanced by an adequate representation of lay members of the council.

The board of trade recommends that Bill 31 be amended to increase lay representation on the council by four lay members. This maintains a majority of professionals while giving a clearer voice to consumers or stakeholders in Ontario's educational system. Our recommendation reflects the community's desire to be actively involved in the direction and the focus of education. The principles of self-government clearly support this recommendation. The Pew report clearly indicates the societal expectation of active involvement. The additional four lay members would come from each of the provincial, public, separate and French systems.

#### 1040

Given this background, the board cannot accept the position that has been attributed to teachers' federations and taken by some commentators on the draft legislation, that classroom teachers should constitute a majority of the council, for example, excluding other members of the college as equivalent professionals.

The board cannot identify a precedent or defensible rationale for such a stance. While we have not completed an exhaustive review, members of the board of trade have identified numerous members of governing bodies of other regulated professions in Ontario who would fail an equivalently narrow definition of professional activity.

This view denies the professional status of academics, researchers and supervisory officials who are members of the college. It also violates the precedents established by many of Ontario's regulated professions. Indeed, the members of the governing bodies of some senior pro-

fessions—accounting and engineering are two examples—are drawn largely from supervisory, academic or research positions.

These individuals are always counted as full professionals in the election and/or appointment processes of their governing councils and in the statistics describing the proportion of professionals on those bodies. In other words, eliminating those who work in supervisory, professional preparation or research roles would denude the governing councils of many Ontario professions.

Finally, the quality of education in Ontario is not competitive in the international marketplace according to recent research. The board recognizes and acknowledges that much good work is being done in Ontario's education system. We all want to believe that our education system is the best in Canada—in fact, the world. We have a lot at stake in this system. It is the system many of us have children attending or we have participated in or are currently participating in as school trustees, teachers or taxpayers. With the large financial commitment we make, we have this desire to be proud. However, in spite of this good work, the board is critical of the system's performance as measured by the achievements of Ontario's students in international programs.

We no longer compete in a local marketplace only. Our students are competing in a global marketplace; therefore, they need a system which addresses that particular need. An international study published by OECD in 1992 reviewed the educational expenditures among a group of developed countries as well as measuring academic achievement. The findings were revealing. Canada ranked number 3 in the group as measured by expenditures on education, providing approximately 20% more support to education than the average OECD country.

Unfortunately, the academic achievement of Ontario students, which was separated out for this study, was no better than average. The simple truth is Ontario students, who are educated in one of the world's most expensive school systems, score no better than the middle of the range established by students from other developed countries. This result is not acceptable for Ontario's youth. They deserve better. These students represent our future; therefore, this is not acceptable for our economy. International competitiveness will be the ultimate test of Ontario's success.

The board of trade's views are clear: The effectiveness of the education system, as measured by student outcomes, must improve.

Obviously, an improvement in these crucial student outcomes will require attention to many aspects of the education system. The board has recognized the value of the investment currently being made to establish the Education Quality and Accountability Office. The office is working toward a means of measuring progress in the Ontario system. However, the College of Teachers, with its responsibility to accredit both professional and ongoing education programs, has a significant role to play in achieving the improvements we all seek.

Based on the foregoing, the board strongly recommends that the act or the regulations should require the college to evaluate the effectiveness of professional and



ongoing education programs. We must have a sound foundation which we move forward on. As we mentioned earlier, our competitive advantage and getting the most value out of our education system is key.

This mandate should include an expectation to identify the characteristics of effective teacher education programs. The results of this work should inform the development of the criteria to be used in the college's accreditation processes for both the preparation of new teachers and the ongoing development of classroom teachers and supervisory staff.

Finally, some commentators have challenged the act, claiming that the college will require mandatory recertification of teachers. Our reading of Bill 31 and The Privilege of Professionalism has not identified such a program. Indeed, the board would not support mandatory training until the college can demonstrate that any required ongoing training was likely to lead to improved classroom processes and ultimately to improved student outcomes. Only when the college has demonstrated that its accreditation processes are grounded on criteria related to the effectiveness of the training to improve student outcomes should the possibility of mandatory recertification be considered for discussion.

In conclusion, we reiterate the board of trade's strong support for Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes. We believe our recommendations are constructive and serve to improve the legislation under consideration. We acknowledge the important contribution teachers are making to our community.

While our dialogue will focus on the stakeholders who have represented themselves in this committee room, we need to remind ourselves who we really are representing: We're acting in the best interests of the present children and the future children of Ontario. We need to build strong partnerships between all stakeholders to ensure the educational system we are building on through this bill truly reflects the needs of the beneficiaries of our actions: the children. Bill 31 offers us, the people of Ontario, the opportunity to work together and build a solid foundation in the educational system for the future.

**Mr Wildman:** Thank you for your presentation. I'd like to return you to page 3 of your brief, where you say that a minimum of 17 of the 31-member council, 61%, and a likely maximum of 20, 65%, will be members of the profession. Can you indicate where you get the 20?

**Mr Vincent:** Not immediately, no, I can't.

**Mr Wildman:** I was just wondering if it may be that you're responding to concerns that have been raised by teachers' federations about three of the 17 being representative of private schools and of supervisory staff and whether you're suggesting that instead of them being part of the 17 they might in fact be added to the 17, and that's where you get the 20.

**Mr Vincent:** I don't know offhand.

**Ms Shelagh O'Connor:** I can get back to you on that. It's a good question.

**Mr Wildman:** Quite frankly, the federations would be quite pleased, as you might expect, if there were 20 members instead of 17, and that would indeed significantly increase the professional component of the board, and

it would then make sense, as you've suggested, to increase the number of the public.

**Mr Vincent:** I guess our intent would be to increase the lay representatives on the board for that balance.

**Mr Wildman:** Also, in terms of the OECD study that you mentioned, is it not also the case that a number of the jurisdictions studied do not teach all of the students in a publicly funded system, so when it is found that in Canada we spend substantially more, or in the higher percentile, on public education, it's because a much larger percentage of our students go to the public system, and that might explain some of the differences?

**Ms O'Connor:** It may explain some of the differences, but not completely. We're being compared to the United States and Great Britain and France. Those systems are comparable to ours in terms of who is in the public system and who isn't.

**Mr Wildman:** I would suggest that in the UK there's a significant element that goes to what they call public schools but are in fact private schools.

**Ms O'Connor:** I know what you mean.

**Mrs Boyd:** Also, that's not the only issue. We also know from studies that have been done on that study that there are a number of those jurisdictions where the students who are tested have already been weeded out substantially, in terms of people being directed into other systems, directed into non-academic professions and so on. So while we all agree—I don't think there's anybody here who disagrees—that we want to be sure that we are getting the highest quality of education, and the reason we're certainly supporting the creation of an office whose focus is ensuring that quality, and we know you're supporting that too—I think it is not particularly helpful for us to be using data that really aren't comparable around that quality.

**1050**

Having said that, that doesn't mean we aren't in favour of really trying to improve the quality; we certainly are, and we need to all focus our attention on that. But I think it has been particularly demoralizing for people engaged in the education profession to have that kind of data used to criticize our system when it isn't completely comparable.

I think that's one of the reasons we get this kind of polarity between educators and the business community often around these issues, because there's a sense that's rather unfair. So I think when we're looking at it, we need to know that although the goals are the same in terms of quality, some of the ways in which people have envisioned achieving that kind of quality are quite different, and legitimately quite different.

**Mr Skarica:** Recently David Cooke, the House leader for the third party, made two unusual statements. The first one was that he wants an audit of the Premier's income tax statement—I'm not going to ask you about that one—but secondly, he made this comment in the Legislature:

"What the teachers and the federations want is an absolute majority on the governing council. I just say to you that if that were allowed to happen, the college would be destroyed. If that were the case, we might as well accept the proposal the Ontario Secondary School

Teachers' Federation and others came up with to turn the Ontario Teachers' Federation into the college."

Do you have any comment about that statement?

**Mr Vincent:** Yes. Based on our presentation today and dialogue that we've had around it, we're in strong support of increased lay representation on the board itself. I think it's indicative of what our society wants, which is a more active partnership in the education field. We also highlighted in some of our research around there that it's also necessary to have supervisory staff included in that council as well to reflect the changing needs of the education field. We support a stronger lay representation on the board and providing that balance in the education system.

**Mrs Ecker:** Thank you very much for taking the time to provide us with your views on the issue. I am not an education research expert, so I will let the research experts haggle and argue over which study represents what. All I know is that many of the small business owners in my community—and I recognize that small businesses are the biggest employers of our education graduates—express concerns about what they think the, if I may use the word, product is, the students who are coming out. I appreciate the point you're making, that we need to have an evaluation of the professional and the ongoing educational programs that are happening so that we have some benchmarks of what we're doing out there in terms of education.

Have you given any thought or turned your attention at all to the Education Quality and Accountability Office? It's been described as providing an independent audit of the quality of education in Ontario and perhaps if it is functioning appropriately, it might well give us some information that we wouldn't have to dispute and argue over. We'd have a better feel for what is actually happening in the education system in terms of quality.

Have you got any comments about that particular proposal?

**Ms O'Connor:** Yes. We have, in our discussions over the years, discussed this issue at length and, like the group before, we are in the process of formulating a policy around it. But I will state that I, as a staff member of the board, sit on a number of committees that are business-education committees. I have worked with Joan Green on a number of occasions and have communicated with her a lot. We are definitely in agreement with the principles of the office and look forward to working further with the office to establish some kind of—we call them standards, and I'm not too sure other people want them, but standards and standardization of tests and so forth. I can't tell you any more than that, but we think it's a very positive thing that's happening right now.

**Mr Patten:** I missed part of the explanation from my colleague down the way in commenting on the international testing. In relation to costs, I'd like to just point out this differential, I believe, that there are many educational systems outside of Canada that do not deal with the responsibilities that we do in Canada, and particularly in Ontario, in terms of children with special needs or youngsters with special needs.

In the most multicultural nation in the world, surely Ontario must be the most multicultural province, and

there are costs related to helping youngsters achieve a certain level of literacy to be able to deal with the curriculum and things of that nature. I suspect that probably would not be true in comparing our system cost-wise with some other systems internationally, where the educational system is a fairly exclusive activity of learning and that people with special needs would probably be in special institutions and that would not be seen as part of the cost of education.

I would just caution you on that when comparisons are made and that we really compare apples with apples and not apples with oranges. Like my colleague, I think I'd just like to underline that particular point. It's an important point when we look at costs, and I think we always must, but often we don't take into consideration some of the hidden costs of our attempt to be more humane, be more realistic about what constitutes helping to prepare a youngster for being able to truly learn, and the universality that we offer our population.

**Ms O'Connor:** Can I just comment? I absolutely agree with you in that there are hidden costs we do have to be aware of and that our system is excellent in serving the needs of learning-disabled children or special-needs children and we take your point very well. However, as Janet Ecker did mention, there is a concern in the business community that sometimes students graduating from our high schools are not well enough prepared. So point taken.

**Mr Frank Mclash (Kenora):** I think you're the first group, at least the first group I've been present for, that's actually touched on mandatory recertification. It's certainly something I hear from the teachers in terms of what will this lead to, what is it all about. I think we certainly do have some work in that area.

Do you know of any other groups that have an actual mandatory recertification, mandatory upgrading or whatever you might want to call it, in other groups that you know of?

**Mr Vincent:** No.

**Mr Mclash:** I appreciate your input on that particular subject.

**The Acting Chair:** Thank you very much for your presentation, much appreciated.

**Mrs Ecker:** Mr Chair, just for the interest of the committee and Mr Mclash's question, the Regulated Health Professions Act does require all the colleges to put in a mandatory quality assurance program which would make provisions. However, they may vary from college to college and that is obviously the decision of a council to make, but that there is a mandatory component to it.

**The Acting Chair:** Thank you. Our next scheduled appointment is the Aboriginal Education Council. I've just been informed that Mr Maracle is on his way. My further understanding is that our next group, the 11:30 group, is here, the Federation of Catholic Parent-Teacher Associations of Ontario, so with the agreement of all members and the federation, we'll put them into our next slot.

**Mr Patten:** An aboriginal group made a representation yesterday. Is this a different group?

**The Acting Chair:** It is a different group. It was the network. This is a different group this morning.



FEDERATION OF CATHOLIC  
PARENT-TEACHER ASSOCIATIONS  
OF ONTARIO

**The Acting Chair:** Please come forward. Good morning, and welcome. If you could introduce yourselves, please feel free to proceed.

**Mrs Mary Ann Cuderman:** Thank you. My name is Mary Ann Cuderman. I'm the president of the Federation of Catholic Parent-Teacher Associations of Ontario. This is our executive director, Mr Patrick Smith.

I would like to thank you for allowing us to be here today. There was a little problem getting in, but I'm glad we did. Your docket was full and you made room for us—other people didn't show—and we're appreciative of that, believe me.

1100

The Federation of Catholic Parent-Teacher Associations of Ontario—FCPTAO for short—is the only recognized, democratic provincial voice of parents in the English separate school system in Ontario. We have been this voice for 56 years. In 1995, we represented 60% of the parents and guardians of the Catholic school population through full unit and associate board membership. The federation is governed by a 19-member board; 18 are elected by the general membership and a spiritual director is appointed by the Ontario Conference of Catholic Bishops.

As volunteers, our directors devote considerable time and effort to field work. Our members sit on various ministry committees such as the assessment advisory committee, the Ontario Parent Council and the school council implementation network. We also have representation on the Council of Ontario Separate Schools and the advisory committee of the Institute for Catholic Education.

The mission statement of the federation is:

"We the members of the federation, as the primary educators of our children, shall strive to ensure that they receive the best possible Catholic education, enabling them to become contributing members of the church and society in accordance with God's will."

Our statement of support for Bill 31: The Federation of Catholic Parent-Teacher Associations of Ontario strongly supports the establishment of a College of Teachers.

We recognize that education is a shared responsibility and greatly value the partnership of home, church and school, and the integral role our teachers play in that partnership. We see the parents as the providers of the resource—the child—and the teaching staff, the school if you will, as providers of the experience—the curriculum.

Partnerships are formal and informal contracts in which each partner agrees to furnish a part of the resources and labour for an enterprise, and by which each shares in some proportion of the success or failure. Both parents and teaching staff must become partners to actively provide material resources and caregiving resources to realize the success that comes from a well-educated child.

We see this regulatory body—the Ontario College of Teachers—as a vehicle which will enable teachers to take fuller responsibility for the practice, conduct, ongoing education and public accountability for their profession.

This is an opportunity to greatly enhance student learning.

The FCPTAO would like to specifically comment on certain aspects of Bill 31 as follows:

Composition of the governing council and committees: In Bill 31, it is directed that the governing council be composed of 17 persons who are members of the college and 14 persons who are appointed by the Lieutenant Governor in Council. This provides for a majority from the profession itself, which is as it should be, and also provides for participation from the larger community in a balance that FCPTAO supports.

In order to represent the interest of the greater public which the education system serves, it is imperative that they be represented on the council that will govern the college, and also on the committees of that council.

There is a significant trend towards broader citizen participation in the educational process, and if education is to realize the notable values of this broader base, then vehicles such as the College of Teachers governing council and committees must be provided whereby citizen groups may work most effectively and make maximum contribution.

Parent representation on the council that will govern the College of Teachers will assist in the creation of a positive working relationship that implies a sharing of information, responsibility, skill sets, decision-making and accountability that is characterized by (a) a shared sense of purpose and (b) mutual respect.

Of particular interest to the FCPTAO is the recommendation in The Privilege of Professionalism that there be three parents appointed to the governing council. Though we strongly support the author's recommendations of parent representation, we firmly believe that FCPTAO, with representation from other interested Catholic groups, is the natural vehicle to develop an application form and a process of nomination for the Catholic parent who will be appointed to the council.

Ongoing education of members: FCPTAO supports that one of the focuses of the College of Teachers will be to provide the ongoing education for members of the college. Mandatory participation in professional development would lead to a higher standard of practice that will benefit the entire educational community.

Provision of the most current information and procedures to teachers will ultimately ensure that students will become productive members of society and be able to meet any of the future challenges they encounter as they prepare for their entrance into the global economy and workplace. Such participation will enable teachers to hold themselves up as role models of the benefits of lifelong learning.

Conclusion: FCPTAO supports this initiative to establish a self-regulating body for our teachers. With a balanced composition on the governing council, there is affirmation of the partnership that does exist with parents. Working together, we will continue to improve our system of education so that all students have ongoing equitable access to education and training, enabling them to take their rightful place in society.

FCPTAO is committed to excellence in Catholic education. We have known for over 50 years that ever-

increasing and meaningful parental involvement in education does make a difference. Parents have the desire to be involved, but have often in the past not been so empowered. The College of Teachers and the inclusion of parental appointments on the governing council will provide credence to the initiatives of the last several years to recognize the true partnerships that exist in educating the students of Ontario.

Finally, all of our directors cannot be here today, because as you see from where we live—we live across the province—it's almost impossible, but they are aware that this presentation is being made today and have sent their full support for the document that has been presented to you.

**Mr Skarica:** Thank you very much for your presentation. I note that you are quite pleased with the amount of parent representation that would be on the governing council. Mr Patten, who's here, has suggested—and I don't mean to embarrass him—he feels 10% to 15% of the entire council should be representatives of the public and that would be sufficient. That would mean that of the 31 you'd have anywhere from three to five members of the public, and probably of that group one or two parents at most. Could you comment as to his comments and if you think that would be at all appropriate?

**Mrs Cuderman:** I would suggest to rethink that, because education is a shared responsibility. It's quite unique. We have partnerships that have to be developed and are being developed and promoted through school councils, that include the community, the teaching staff, the non-teaching staff and the parents.

As far as the parent number goes, I couldn't accept any less than three because there are three recognized systems of education that have to be accounted for. There is the French system, there is the public system and then there is the Catholic system. In all fairness, there should be one from each system sitting there.

**Mr Skarica:** The Ontario Teachers' Federation has suggested that, all right, perhaps 25% of the 31 could be representatives of the public; ie, of the 31, five or six—what's 25%? I guess it's seven or eight. You can tell I haven't been in school for a long time. Seven or eight of those would be public representatives, and the rest of them would be elected members. What would your answer be to that? Would that be sufficient?

**Mrs Cuderman:** No. The education system is accountable to the public and the public must be represented in decent numbers on that college.

**Mr Bruce Smith (Middlesex):** Thank you very much for your presentation this morning. I've had the opportunity to meet with Lucy Hendriks, one of your directors from London, to share her views on the issue, and I'm pleased to see she's signed her name to this report.

From more of a philosophical perspective, some of the teachers' affiliates have expressed concern that the establishment of the college will lead to the detriment of the education system. Is that a concern that you have as representatives, that in the longer term there's going to be these complications and the education system will be harmed in some form?

**Mr Patrick Smith:** No, I don't think so at all. I think the establishment of the College of Teachers will simply

enhance the education process. I can't see how it could be a detriment at all.

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**Mrs Lillian Ross (Hamilton West):** On page 2 of your brief, you've made the comment that 17 members of the college would be teachers. Three of those are going to be from the supervisory categories. You stated that you think this provides for a majority from the profession itself. We've heard comments that people who are not actually in classroom teaching, who are supervisors, shouldn't be listed as one of those 17. Could you comment on that?

**Mrs Cuderman:** I don't feel that I am, let's say, knowledgeable enough to really comment on that. The teachers certainly have their concerns and they should be listened to. From our point of view, the ratio of 17 who are members of the college, however that falls into place, that's fine, but 14 should be from the broader community. That's what our stand is. I'm sure the teachers will answer to what issues they have as to the breakdown of that 17.

**Mrs Ross:** Do you think principals and supervisors have a responsibility to education and should be involved in that process as well?

**Mrs Cuderman:** They should be involved, yes, because they are definitely responsible in the education system, especially the principal in his capacity as manager of that school.

**Mr Jack Carroll (Chatham-Kent):** The teachers I have had an opportunity to talk to keep bringing up the point, "The OTF can fill this function; we don't need another level of bureaucracy." As you know, our government is very much against more bureaucracy. They accuse me of being part of a system that's going to create more bureaucracy, because the OTF can serve this role and does serve part of this role now. Do you believe the Ontario Teachers' Federation can be the body to regulate the profession?

**Mrs Cuderman:** No. I think we're talking public accountability here and I believe that's going to fall into place with the establishment of the college.

**Mr Miclash:** Thank you for the presentation. Mandatory participation in professional development—you indicated that a lot of your group is not here today. I know some of them are from Sudbury. I represent the riding of Kenora, which happens to be quite a bit farther than just Sudbury. A lot of the teachers I've spoken to have really wanted this clarified in terms of what is meant by "professional development." I would like you to expand on what you mean by mandatory participation in this professional development.

**Mrs Cuderman:** My meaning of "professional development" is meaningful time spent learning more of what is available, to go into the classroom and to develop themselves more to be able to present what is going in the classroom. That's my meaning of "professional development." I think it should be an ongoing thing, and that's probably the meaning of "mandatory." It has to be an ongoing thing in order to keep up with what is coming out nowadays and to provide our children with the knowledge they can glean through that. I don't envision professional development days as being days where they gather to talk about things other than education.



**Mr Miclash:** Would you include, say, community involvement as part of that professional development?

**Mrs Cuderman:** The way things are going, yes, because I think that's a very important component now—the community involvement, the partnership with the community in educating our children. Yes, definitely.

**Mr Patten:** I'll have to read my speech just to see what I said, but I think I was making an observation that somebody's had 10% to 15% public participation. I personally don't believe that percentage is satisfactory in this instance.

What I have picked up and received much representation on is the concept of the classroom teacher, and the feedback we get from teachers is that they feel they are not truly in the majority. I personally support that. I think it's important that they feel this is truly their professional body, to which they would want to be held accountable.

My question is really around the representation of two or three bodies, given the numbers as they stand at this particular stage, which I believe would make a world of difference in the receptivity of teachers related to the numbers game. I believe there are opportunities for other certified teachers, but not practising classroom teachers, to participate, such as principals or supervisory staff.

We had an interesting representation yesterday from the association of faculties of education that said their representation would be from the teaching end of the faculty and therefore they classified that representative as a classroom teacher, which we hadn't heard before, which I found to be interesting. In other words, they would not be from the administration of the faculties of education. Do you have any comment on that?

**Mrs Cuderman:** No, because I did not know where that was going to fall in, where their representation would come from.

**Mr Wildman:** Thank you very much for your presentation. There has been a lot of discussion about the numbers on the board and the role of the college in discipline and not as much discussion before the committee about the role of the college for ongoing teacher training and the accreditation of faculty programs and so on. My friend the member for Kenora raised the problem of the practicality, the logistics of working these kinds of programs out. There's been a suggestion that it would be difficult for a college to carry on ongoing training programs for upwards of 200,000 teachers in the province and that this in some ways might duplicate things boards are already doing and also some of the things the federations are doing themselves. Do you have any concerns in that regard, in terms of avoiding duplication of what boards are already doing in ongoing professional development?

**Mr Patrick Smith:** I think one of the main purposes of the college would be to monitor what is going on in the province. In that way they could perhaps support activities of professional development across the province and perhaps might even be instrumental in designing some programs for teachers. But I think their main role would be in monitoring what's going on.

**Mr Wildman:** Then the boards would carry on and they would be then subject to being monitored by the college?

**Mr Patrick Smith:** They're much closer to the grass roots; they know what's going on in their community. I think they're more suitable to carry out the program.

**Mr Wildman:** Good. In regard to the discipline side, where there's alleged misconduct, it's also been suggested that perhaps, along the lines of the British Columbia college, the employer-employee relationship between boards and teachers should be carried through notifying the college, and that only subsequent to a decision on discipline being completed by that process would the matter go to the college, and then the college would consider whether or not a certificate should be lifted. Do you have any comment on that?

**Mr Patrick Smith:** Not too many. That's an area that perhaps is one of the most interesting in the setting up of the college itself, the power the college would have regarding certification of teachers and removing a certificate. That's a very difficult area and probably one where, in unison with the government itself, the Ministry of Education and Training, they would have to work out some sort of a formula. But I'm not in any position to give any advice on that.

**Mr Wildman:** Okay, fine. The other one is in terms of public accountability and your commitment to public participation, particularly the participation of parents. The College of Nurses, under the Regulated Health Professions Act, has a somewhat larger number. Their numbers are 14 registered nurses and seven registered practical nurses, for a total of 21 by the profession, and 18 members of the public. Would those kinds of numbers meet your concerns about accountability; in other words, if we increased the total number of people on the board of governors of the College of Teachers?

**Mrs Cuderman:** As long as there were approximately the same percentages being presented, if those numbers were raised in either category, I'd have no problem with that.

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**Mrs Boyd:** I'm interested that you didn't mention in your presentation anything about the pre-service education of teachers. I know that has been a bit of a preoccupation in the past, particularly with respect to religious studies and that sort of thing. I wondered if you wanted to just give us some verbal comments on the importance of pre-service training from the perspective of your federation.

**Mrs Cuderman:** From our perspective in the Catholic system, our religious departments are just as big as any math or English department in any school, because it's mandatory. There is a need for fully qualified teachers in those areas.

There is movement being made at this point, because I sat with the committee that met with the deans, and we're very pleased at the movement that's being made in that direction, but up until that point there was no opportunity for anybody to go into teachers' college seeking a designation in religion as a teachable option. Therefore, the Catholic system had a great deal of difficulty finding qualified people who had to come in under other designations. They had qualifications in theology and everything that would actually get them a teaching certificate in religion, but it was not recognized.

It's very important to the Catholic system that we do have these people, and there is movement being made. Thank you for that, for the colleges of education for coming up and cooperating on that with the Catholic community.

**The Acting Chair:** Thank you very much for your presentation. It's much appreciated.

**Mrs Cuderman:** Our pleasure. Thank you very much.

**Mr Wildman:** In regard to this, would the members of the government party on the committee be prepared to indicate whether or not they would be willing to see an increase in the total number of members of the board but maintain the proportion between public and professionals, in response to the presentation?

**The Acting Chair:** Does anybody on the government side wish to respond to that?

**Mr Skarica:** Not at this time.

### ABORIGINAL EDUCATION COUNCIL

**The Acting Chair:** Our next presenter is the Aboriginal Education Council, Mr Maracle. Good morning and thank you for very much for joining us.

**Mr Murray Maracle:** Good morning, ladies and gentlemen. We want to thank you for the opportunity to make this presentation to the standing committee on social development. It's good to see that we work on Indian time sometimes also. My name is Murray Maracle. I'm a citizen of the Mohawks of the Bay of Quinte. I'm an executive member of the Aboriginal Education Council and the chair of the Aboriginal Institutes Consortium. I'm the vice-president of the First Nations Technical Institute. I am joined today by my daughter, Mindy, who is participating in a job shadow program.

I am also accompanied by LuAnn Hill MacDonald, who is from the Six Nations Reserve. LuAnn is a member of the Aboriginal Education Council and is also on the Aboriginal Institutes Consortium. Tim Thompson is from the Ontario Federation of Indian Friendship Centres. David McCuaig is Anishnawbe from the Sudbury area and is the coordinator of the Aboriginal Education Council Secretariat. It seems like we just met here yesterday, some of us.

I'll be using my presentation as a guideline, but I may wander now and then. I've been dealing with education for the past 20 years, so I get excited about some of the issues sometimes; I want to add some comments here and there.

The Aboriginal Education Council was established on September 18, 1991, by order in council. The mandate of the AEC is to work in partnership with the Minister of Education and Training to implement the aboriginal education and training strategy.

The aboriginal education and training strategy is a multi-year program designed as a short-term response to the immediate needs of aboriginal students in attendance at mainstream post-secondary institutions in Ontario. The success of AETS is dependent upon active participation and cooperation between institutions and local aboriginal communities. The strategy requires the creation of aboriginal councils having direct authority for matters relating to the strategy.

The proposed legislation will create an autonomous body responsible for determining professional standards, certification and accreditation of teacher education programs. Reports from the Teacher Education Council of Ontario and the Royal Commission on Learning have identified the need to develop a coordinating body with a legislative framework that would be responsible for the professional education of teachers.

Bill 31 has a wide-ranging ability to negatively affect first nation education, both on reserve and in related school boards, while not ensuring fair and equitable representation on the governing structures.

To be eligible to teach in federally operated reserve schools, the criteria specify that teachers must have or be eligible for teacher certification within the province. First-nation-controlled schools may place a higher priority on the sharing of inherent knowledge and wisdom as compared to a standardized perception of a structured way to learn.

My remarks are not limited to on-reserve schools. It is important for you to recognize that a significant number of our students and a significant amount of our funding flow into the provincial school system. Our current statistics reveal that over 8,500 aboriginal students attend your schools, contributing in excess of \$60 million in funding to provincial school boards. However, our experience indicates that the system fails to address the needs of aboriginal students. In fact, the record of Ontario schools to retain and successfully graduate aboriginal students is abysmal. This has consequences in increased dependency on the social welfare system. This information is highly relevant to our discussion today and underlines the need to seriously consider our recommendations.

The implementation committee recommends that the College of Teachers should be attentive to the issues raised by aboriginal communities and should assist teachers of aboriginal students to meet their unique needs. However, there are no specific measures proposed, nor is there any process put forward to ensure that aboriginal issues can be addressed.

The current recommendation provides a single seat for aboriginal community participation. Clearly this is inadequate, given the diversity and complexity of aboriginal communities and their education needs.

The requirement for membership in the college as a precursor to employment in publicly funded schools will have a negative impact on elders, community resource workers, uncertified language instructors and classroom assistants who are not recognized by the college. We require a process that recognizes these vital resource people as qualified education professionals.

The accreditation and standards committees are of vital importance to the aboriginal community, as they will have a significant impact on aboriginal teacher education and ongoing professional development. It is necessary to ensure that aboriginal communities have an appropriate mechanism to provide significant input into teacher education programs. Failure to provide sufficient aboriginal community input will result in the college deciding what is best for aboriginal educators. History and experience have proven this approach to be highly unsuccessful.



Many aboriginal organizations have developed their own teacher education programs. The college must provide a process to recognize these programs utilizing the expertise of aboriginal educators, community members and elders.

Standards of practice in education within aboriginal communities and within native classrooms are often quite different from those found in the mainstream. Aboriginal standards of practice are no less rigorous or professional than the mainstream, yet they are often unrecognized. Aboriginal communities have witnessed a great deal of interest from the mainstream in exploring native concepts of holistic education. Therefore, aboriginal-specific professional development and standards of practice should be appraised by aboriginal education experts and elders, as they are the only authority with significant knowledge and experience regarding the needs within aboriginal classrooms.

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All teacher education programs must include training in aboriginal cultures, education issues, community development, languages and aboriginal pedagogy.

The proposed College of Teachers will dramatically change the way in which teacher qualifications are acquired and the ongoing learning process for professional teachers. The establishing committee of the college has acknowledged that the aboriginal community has specific requirements and concerns relative to teacher education and training practices. However, the college has done very little to ensure that specific measures are in place that will provide meaningful and significant aboriginal participation in the change process. I will be making recommendations for increased aboriginal participation.

I recognize that many presenters are asking for an increase in representation. However, I want to make it extremely clear that my request comes from being the first people of this land. We are not to be confused with an interest group.

The following recommendations will provide the necessary measures to improve aboriginal control over aboriginal education:

That the proposed legislation contain a process to address the specific situations of aboriginal teachers who do not possess all the qualifications required by the College of Teachers. We require a process that will deal specifically with aboriginal language and traditional teachers which will either exempt them from the legislation or recognize the professional value of their expertise.

Significantly increase the number of aboriginal community representatives on the governing council in order to ensure equitable representation. Create designated seats for an aboriginal teacher, an aboriginal faculty of education member and an aboriginal student teacher on the council.

Create an aboriginal body of the college that is responsible for all aboriginal education issues. The body would be elected by aboriginal members of the college, would report to the governing council and would have representation on the executive committee and all standing committees.

Required component of all teacher education programs to include training in aboriginal education issues, aboriginal culture, language, curriculum design and pedagogy.

Aboriginal organizations and institutes must be responsible for accrediting their own aboriginal teacher education programs and ongoing professional development opportunities. The college must provide a process to recognize these programs, utilizing the expertise of aboriginal educators, community members and elders.

Ladies and gentlemen, thank you for your time. I look forward to any questions and comments you may have regarding our presentation today, and my colleagues may help me field some of these questions.

**Mr Miclash:** Murray, thank you for your presentation and for joining us here today. You indicated that you would certainly like to see the expansion of aboriginal representation on the governing committee. I'm interested in how you would see these people chosen from the aboriginal community in terms of representing the entire province.

**Mr Maracle:** As was indicated yesterday, there are processes there now through the political organizations and the other organizations that are out there that have specifically geographic and issue-related situations we could draw from quite easily.

**Mr Miclash:** Another concern is the issue of the traditional language teachers and the exemption of these particular teachers from the authority of the college. It's been a concern that's been raised earlier as well. What do you think the bill should do to protect these teachers?

**Mr Maracle:** The word "exemption" is one we use that I don't actually feel comfortable with. It's one we all understand. An exemption means that we're going to allow something to happen because we don't know how to deal with it.

I think what we should do is recognize these people, these instructors for what they actually are: aboriginal teaching, educational professionals. I would like some process that would allow that to happen, so we would not have somebody exempted from something, but they would be recognized under the legislation as being professional teachers.

**Mr Patten:** Good to see you again. I suppose, as I mentioned yesterday, the creation of the college as it's proposed at the moment has a cultural bias and hasn't taken into consideration the organization, the culture and the network in your circumstances. One of the tests, it seems to me, of the legislation in truly respecting and addressing the issues you present, and I think rightly present and have presented very clearly, is whether we're able to provide the flexibility to address your needs, not as an afterthought, but with true respect, and acknowledge that you already have things in place, you have an approach to learning which is different.

Your concept of education, your concept of the elders, which to me is a very beautiful concept, require respect. It seems to me your recommendation number 3 is a good one, and that is to create an aboriginal body as part of the college, to which we can work out some direct representation.

Having one aboriginal representative on the council obviously doesn't do the trick. I mean, "We'll do the numbers game and we'll provide two francophones and we'll have an aboriginal member," this kind of thing. I

don't mean to be cynical but to make the point that it does not engage truly and work with you in terms of your educational, cultural background. I was going to ask the same question as my colleague here, and that was the manner in which you can have various representations to deal with that. Could it be a committee, as you see it, that would have responsibility and report to the council in terms of all the issues that would affect your community?

**Mr Maracle:** Yes, I think it could. I think your comments are well taken. I have to say this: This is not the first time aboriginal people have been in front of committees. We go in front of committees all the time. All of these issues we talk about are certainly not new. The thing that we have to decide, and we have to decide as aboriginal people, is we come and we keep educating and we keep educating and these are the issues we want. But ultimately the people sitting over there, you people over there are the ones who are going to decide, and if you decide that you want to deal with aboriginal people on an even partnership basis, then it can happen over on that side of the table. On this side of the table, we've been ready to do that for years and years. Like I say, 20 years went by in my career and I saw very little change, to be quite truthful with you. Most of the changes happen on the aboriginal side, by trying to adapt our processes—and we're getting tired of adapting our processes—to match types of legislation.

**Mr Wildman:** I too think recommendation number 3 is one that really does speak to the need to ensure the college properly allows for accreditation and recognition of aboriginal teachers and elders for their expertise. Also, I think number 4 is a very good idea, but I'd like to ask you about number 5. I understand why it's there and why you're proposing it. I'm just wondering if at this point you would have some suggestions for the committee as to how this might be done, how it might be implemented.

**Mr Maracle:** Again, we've taken most of our recommendations and comments from meetings we have attended with other organizations and such. There are a lot of organizations and bodies out there that are actually doing this now, that have made a lot of inroads in this area, so it's a matter of recognizing and giving those bodies some status and process of having input into the situation, the recommendation. They're already out there and happening. It's recognizing and bringing those forward.

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**Mrs Boyd:** I'm very pleased to see you here today. One of the objectives when we formed the Aboriginal Education Council was to give a vehicle to give the kind of advice and the kind of working together that I think it's achieved. I wouldn't like to see that spoiled by the creation of a college that didn't acknowledge the very specific needs the community has and the way in which the community regards education. I'm very interested in your third recommendation. I think that may well find a way out.

In terms of the representation itself of aboriginal people in the college, when you talk about the concern about that, particularly around traditional teachers and language teachers, as I read the legislation—and I may be wrong about this—the legislation looks permissive to me

in terms of the college enabling that to happen. Is that how you read it, or do you think something specific needs to be read into the legislation? I know your experience is that permissive doesn't do it for you, but I'd like a comment on whether you think the actual legislation needs to specify that or whether that would have to come from the college itself.

**Mr Maracle:** From the experience I have, it's going to have to be very definitely put down by the college. What happens in most cases when legislation is put forward and we're trying to govern something or control something is it becomes an exclusionary process, and every time we get into an exclusionary process we start excluding things and pushing things to the outside. In the aboriginal process we have an inclusionary process, so that when we want to deal with an issue and we come to a meeting, sometimes you might have 50 or 60 or 70 community people there who are included in the process. When we get into legislation and we get into things like trying to control something, it becomes an exclusionary process. I almost think it has to be definitely put in language that will allow it to take place even in that exclusionary process.

**Mrs Boyd:** Yes, and I think you have a lot of experience around that. Certainly if people are looking only at the percentage of the total population of the province of Ontario, you lose every time, and that's not very appropriate, is it?

I love your recommendation number 4. It's something I think is necessary. I know one of the longstanding issues for aboriginal people is the way our students continue to be taught, are taught today in our classrooms about what the relationships between aboriginal people and the newcomers to this continent were. I share your view that it should be a specific component, that it should be taught by aboriginal people from an aboriginal point of view, not just a Eurocentric point of view, because I think that has perpetuated the difficulties between us in understanding one another. I think that's an absolute necessity as well.

**Mr Maracle:** One comment I would like to make referring back to the Aboriginal Education Council: A large evaluation has just been completed after a four- or five-year process on that, and the recommendations, from our side of the table, are a step in the right direction. We are increasing participation and we are increasing retention rates in the schools.

**Mrs Boyd:** It's been very successful. I think those who were sceptical when this was put forward as a proposal have learned from the experience that it was a very valuable tool.

**Mr Maracle:** Very much so.

**Mr Dan Newman (Scarborough Centre):** I thank the Aboriginal Education Council for making the presentation today. On page 3 of your presentation it says: "However, our experience indicates that the system fails to address the needs of aboriginal students. In fact the record of Ontario schools to retain and successfully graduate aboriginal students is abysmal. This has consequences in increased dependency on the social welfare system." Would a proposed College of Teachers, with the recommendations that you've put forward, address this problem?



**Mr Maracle:** Yes, I think they would, especially the recommendation that all teachers could take some type of aboriginal cultural training, pedagogy, understanding aboriginal issues. It would help a great deal. We don't realize what our aboriginal students are going through when they leave a very comfortable community, going into a very sometimes uncomfortable community and what the effects of that are. The teacher in the classroom is the first line of defence for some of these students. Sometimes that defence has not been a warm, welcome defence for the student. Having some of our recommendations on could help that considerably.

**Mr Skarica:** I'd like to go to your recommendation number 1, page 6, which I find intriguing. You indicate there that the legislation should "contain a process to address the specific situations of aboriginal teachers who do not possess all of the qualifications required by the College of Teachers."

There appears to be a section that does outline that situation. I'd like your comment on it, and it's subsection 60(2). I don't know if you're familiar with it, but it deals with the letters of permission. It was commented on and actually opposed by one of the teacher affiliates, the Ontario English Catholic Teachers' Association, but not opposed or even commented on by the OTF or the OSSTF, which I find of interest. In any event, it indicates that there could be a letter of permission granted "to a board authorizing the board to employ a person who is not a member of the Ontario College of Teachers to teach in an elementary or secondary school if the minister is satisfied that no member is available," but that letter is only effective for one year. Do you think that would cover the situation you're referring to there, or do you need something in addition?

**Mr Maracle:** What we're doing with that section is putting a Band-Aid on a process that's been around a long time. If we are going to recognize these individuals as qualified professional teachers, which we in our communities do, we should say that in the legislation and provide a process in the legislation for that to happen. If we have to continually come back every year to gain a letter of standing, it does not put those people in the professional light we as community members put them in.

**Mr Skarica:** What kind of process would you recommend then? Do you have any details you can give us?

**Mr Maracle:** If my colleagues would like to help me around this one, I know there are aboriginal programs out there now that have the ability to recognize their teachers and bring their teachers to the standard they want. I think that process out there now could be moved forward or included in some fashion within the legislation process.

**Mr Tim Thompson:** Further to that, it's community-based. In each of our communities and regions there is a lot of diversity, but we each have processes by which we identify who our traditional teachers are and who our language teachers are, and we apply that in our own areas. We've brought that to various tables and various forums in the past. Like Murray says, letters of standing are not formal recognition; they provide a lesser qualification and oftentimes they're not easy to achieve at the board level. We could work that through if we had some

kind of process that was community-based, like what we're suggesting in recommendation 3.

**Mr Carroll:** If I can get a little clarification, are you asking that everyone who teaches in an on-reserve school be a member of the college?

**Mr Maracle:** I'm sorry, I didn't hear the question.

**Mr Carroll:** That everyone who teachers in a first nations school be a member of the college? Is that what you would like to see happen?

**Mr Maracle:** Whether they're a member of the college or they're recognized, if they go hand in hand—and I think under your legislation they go hand in hand, in the way that I look at the legislation—if they are a teaching professional, they will be a member of the college. All we're saying is that some of our teachers are not full-fledged members, if you want to put it that way, and sometimes they are not allowed to take part in any of the committees or any of the elections and such that may be there. Sometimes you may be throwing away a fairly valuable resource in those cases.

**Mr Carroll:** I don't disagree with that. You see some benefit then, obviously, in the College of Teachers. You would like to have all people who teach in first nations schools to be part of that process and you see it as being a beneficial process. Does that sum up what we're talking about?

**Mr Maracle:** I think if the process would take into consideration some of the recommendations that were put forward yesterday and today, there would be a better chance that all aboriginal teachers would want to participate in that process. I cannot speak for the teachers, because we work in a different system. In the system we work in, the decisions come from way down below and we bring those decisions forward. We would have to take that back to our teaching professionals with those changes that perhaps may be required. Personally, I think that may happen.

**Mr Carroll:** On another point, can Mindy tell us about her job shadow program that she's working on?

**Mr Maracle:** Just to preface that, I asked Mindy what she thought about the whole thing yesterday. I'll let her explain it.

**Mr Carroll:** I don't want to put you on the spot, Mindy, but we'd be interested.

**Ms Mindy Maracle:** Sitting here for the past few days, I feel the majority of you people—that it was more of a racial issue than the issue you're here for.

**The Acting Chair:** Thank you very much for your presentation. It's much appreciated.

That brings us to the end of our presentations and presenters for today, but before we adjourn I'd like to address the concern Mr Wildman brought up earlier in terms of the presentation of the amendments to be submitted to the clerk by Friday.

The clerk has conferred with legislative counsel. She is available to all the members from this moment on until Friday afternoon. I think it's fair to say we're working on the premise that when we say Friday, we mean the end of the day Friday. I can't imagine there's any disagreement. It is conceivable, perhaps because of the volume, that it might not be possible to get everything done by Friday

afternoon, so I think probably we're looking for some flexibility. I would look for a nod or some indication from committee members that if it can't all be done by Friday, some time Monday, as much as possible in terms of reasonable access by all three parties on Monday.

**Mr Patten:** We had scheduled two days, I gather. In light of the flexibility, because we're going to be short of time, I throw this out as a suggestion: Because we may need Monday to do some further work, maybe we could meet Tuesday and Wednesday rather than Monday and Tuesday, if that can be considered.

**Mr Skarica:** Bev Hammond is here from our House leader's office. I had asked her if they could discuss that

tomorrow and move the hearings to Tuesday and Wednesday as opposed to Monday and Tuesday.

**The Acting Chair:** There seems to be all-party agreement on that. Am I in a position to approve that, Mr Clerk?

**Mr Wildman:** We need the House leaders' agreement.

**Clerk Pro Tem:** The committee has agreed to make a request.

**The Acting Chair:** The committee has agreed to the request, so we then have agreed that we are reconvening on Tuesday, April 30, at 3:30. That will be the next time. Fair enough.

*The committee adjourned at 1153.*





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### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

- Chair / Président:** Patten, Richard (Ottawa Centre / -Centre L)
- Vice-Chair / Vice-Président:** Gerretsen, John  
(Kingston and The Islands / Kingston et Les Îles L)
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- \*Ecker, Janet (Durham West / -Ouest PC)
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- \*Pettit, Trevor (Hamilton Mountain PC)
- Preston, Peter L. (Brant-Haldimand PC)
- \*Smith, Bruce (Middlesex PC)
- \*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

- Miclash, Frank (Kenora L) for Mr Gerretsen
- Ross, Lillian (Hamilton West / -Ouest PC) for Mrs Johns
- Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan
- Boyd, Marion (London Centre / -Centre ND) for Mr Laughren
- Carroll, Jack (Chatham-Kent PC) for Mr Preston

**Clerk pro tem / Greffier par intérim:** Doug Arnott

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Ted Glenn, research officer, Legislative Research Service



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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 30 April 1996

# Journal des débats (Hansard)

Mardi 30 avril 1996

## Standing committee on social development

## Comité permanent des affaires sociales

Education Quality and  
Accountability Office Act, 1995

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Ontario College of Teachers Act, 1995

Loi de 1995 sur l'Ordre  
des enseignantes et des enseignants  
de l'Ontario

Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Tuesday 30 April 1996

*The committee met at 1534 in room 151.*

## ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995 SUR L'ORDRE  
DES ENSEIGNANTES ET DES ENSEIGNANTS  
DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

**The Vice-Chair (Mr John Gerretsen):** I'd like to call the meeting to order.

**Mr Bud Wildman (Algoma):** First, I'd like to express our thanks, probably on behalf of all three caucuses, to legislative counsel for assistance in preparing amendments.

Having said that, we are sitting today and tomorrow morning. That's it, correct? What happens if we run out of time and we haven't dealt with all clauses?

**The Vice-Chair:** It's my understanding that there's no order as to what happens with the balance of the clauses that haven't been dealt with. There has not been any agreement reached in the subcommittee report.

**Mr Wildman:** I was raising that sincerely; I wasn't trying to start an argument here. I just wonder what happens if we don't deal with all the clauses.

**The Vice-Chair:** I asked the same question. We have four and a half hours.

**Mr Wildman:** There is the possibility that when it does go back to the House we could go to committee of the whole and deal with clauses in committee of the whole, I suppose.

**The Vice-Chair:** I suppose that's up to the House leaders, but why don't we go through the process first, see how far we get and deal with it at that time.

**Mr Toni Skarica (Wentworth North):** Before we start, there apparently was a government motion that was

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mardi 30 avril 1996

not included in your packages, so perhaps we could tender that right now to the clerk.

**The Vice-Chair:** Let's deal with the report of the subcommittee. I think it's been handed out to everyone. Are there any questions or comments on it? It's a two-page report, or one and a half pages. Oh, that deals with Bill 34. Where does this fit into Bills 30 and 31?

**Clerk of the Committee (Ms Lynn Mellor):** It doesn't; the subcommittee met on it this morning.

**The Vice-Chair:** Okay, well, it's the same subcommittee of this committee, so before we deal with 30 and 31, is there any question or comment with respect to the report from the subcommittee dealing with the Bill 34 report?

**Mr Wildman:** I just had one. We were asked to propose names of individuals or groups that might be invited to make appearances when the committee holds hearings. Are we assuming that representatives of public and separate boards and representatives of all of the affiliates of OTF will expect to have the opportunity to make presentations at each of the hearings, besides the other people we're proposing?

**The Vice-Chair:** There's no direction given with respect to that. It's my understanding that the subcommittee, during the week it travels, is going to be in the four cities as indicated for a maximum of one day, and if each presentation is going to be half an hour, there is a maximum number of groups that can be heard on that day.

**Mr Wildman:** That's why I raised it, because obviously we want to have representation from the community and from parents and so on, but the boards and the affiliates are also going to want to be heard, so I'm just wondering how we square this circle.

**Mr Skarica:** I was going to suggest we maybe discuss this at 6 o'clock, just the subcommittee members—

**Mr Wildman:** Sure.

**Mr Skarica:** —because otherwise we won't get to 31. We could do it that way.

**The Vice-Chair:** Are there any further comments with respect to the report of the subcommittee on 34?

**Mr Dominic Agostino (Hamilton East):** The dates of the cities and that sort of thing will be available by the end of today?

**The Vice-Chair:** It will depend on travel arrangements, but it will be the four cities, Sault Ste Marie—

**Mr Agostino:** We don't know, for example, Tuesday we'll be in Sudbury or Sault Ste Marie or Wednesday we'll be in Thunder Bay.

**The Vice-Chair:** We don't know that today, but I imagine we'll know that by the end of the week, once the travel arrangements have been sorted out. Anyone else?

Could I have a motion, then, approving the report of the subcommittee? Would somebody like to move it? Mrs Ecker. No seconder needed.

All in favour of the report of the subcommittee? Opposed? Carried.

**Mr Wildman:** I have one other on Bill 31, which I expect we will deal with first, before Bill 30. Correct?

There are some substantive amendments that have been proposed that, if they carry, will be of significance. If they are defeated, then there will be other amendments that would be put instead by various members of various caucuses. I'm wondering, for instance, if we could deal with section 25 rather than going in sequence, because if the amendments for that section carry, then it has significant effects for a lot of other sections. If they don't carry, then there are backup amendments for other sections, and I'm just wondering how we would like to proceed on that.

1540

**The Vice-Chair:** If you want to proceed that way, I believe we need unanimous consent for that. Do you have a list of the major amendments that you wanted to look at first, Mr Wildman?

**Mr Wildman:** Obviously the amendments to section 25 are significant.

**The Vice-Chair:** Does the committee have any objection to dealing with the amendments under section 25 first?

**Mr Skarica:** My own preference is to go in order and to spend more time on the substantive amendments.

**The Vice-Chair:** Do we have unanimous consent? No. We'll deal with it on a clause-by-clause basis then.

**Mr Richard Patten (Ottawa Centre):** May I just comment? If we find we are running out of time, though, then I would ask the government side if they'd consider dealing with the more substantive issues that are remaining so that we might address those to take that under consideration.

**Mr Skarica:** Maybe we'll see where we're at at 6 o'clock, and we can discuss it.

**The Vice-Chair:** Is there agreement that we deal with Bill 31 first?

**Clerk of the Committee:** The motion of the subcommittee—

**The Vice-Chair:** The rules of the subcommittee, all right.

Dealing with Bill 31 then first, dealing with section 1, are there any comments? If not, shall section 1 carry? Carried.

Section 2, comments?

**Mr Patten:** Under subsection 3(1), under the college objects, I move that paragraph 1 of subsection 3—

**The Vice-Chair:** This is section 2 we're dealing with.

**Mr Patten:** I'm ahead of myself. Go ahead.

**The Vice-Chair:** Any comments on section 2? Hearing none, shall section 2 carry? Carried.

Section 3, Mr Patten.

**Mr Patten:** Under subsection 3(1), paragraph 1, I move that paragraph 1 of subsection 3(1) of the bill be struck out and the following substituted:

"1. To regulate the profession of teaching, including the teaching of students who are deaf, hard of hearing or

who have other special needs and to govern its members."

I think it's self-explanatory. The representations we had were taken into consideration, special needs and those who have hearing impediments. It makes it quite important that they be identified.

**Mr Wildman:** In the interest of time, we will say we agree to it as read.

**Mr Skarica:** I don't believe that amendment is necessary and the government is proposing to leave the section as is.

**Mr Wildman:** The question is, is it harmful?

**The Vice-Chair:** That will remain unanswered.

**Mr Wildman:** As far as the government is concerned. The government has said it's unnecessary; is it harmful?

**Mr Agostino:** Can I ask a question? What would be the nature of the opposition to including that in there?

**Mr Skarica:** From a drafting perspective, you're identifying some people with special needs but not all. We just don't think it's necessary, and it doesn't include all people who have special needs.

**Mr Agostino:** Oh, people who have other special needs, which is open-ended.

**The Vice-Chair:** Any further comment on Mr Patten's amendment? All those in favour of the amendment? Opposed? Lost.

**Mr Patten:** I move that section 3 of the bill be amended by adding the following subsection:

"Same

"(1.1) In carrying out its objects, the college shall have regard to the needs of Ontario's separate school system and the aboriginal community and its schools."

**The Vice-Chair:** Any comments?

**Mr Wildman:** Same vote.

**The Vice-Chair:** Same vote, or is the government going to agree with this? No? The amendment is lost.

Any further comments on section 3?

**Mr Agostino:** Are we still on the same amendment?

**The Vice-Chair:** No, we've dealt with the amendment.

**Mr Agostino:** Do we get to explain why we moved that? Mr Patten may have said it and I missed it.

**The Vice-Chair:** I'm sorry. I asked for comments and I didn't hear any, so I called the vote. Any further amendments to section 3?

**Mr Skarica:** Yes, to paragraph 5 of subsection 3(1).

I move that the English version of paragraph 5 of subsection 3(1) of the bill be amended by striking out "registration and qualification" at the end and substituting "qualification and registration."

**Mr Agostino:** Can I have an explanation of why that was done? What's the purpose?

**Mr Skarica:** It's just a housekeeping matter.

**Mr Agostino:** What was wrong with the way it was?

**Mr Skarica:** The term "qualification and registration" is consistent with other references in the bill and with the name of the certificate.

**The Vice-Chair:** Any further comments on that amendment? Shall the amendment carry? Carried.

Any further amendments to section 3?

**Mr Skarica:** The government has two more, dealing with paragraph 8 of subsection 3(1).



I move that paragraph 8 of subsection 3(1) of the bill be struck out and the following substituted:

"8. To receive and investigate complaints against members of the college and to deal with discipline and fitness to practise issues."

**The Vice-Chair:** Any comments? Is everyone agreed to that amendment? Agreed.

**Mr Skarica:** The government considers that paragraph 10 of subsection 3(1) is inconsistent with the purposes of the act to regulate.

I move that paragraph 10 of subsection 3(1) of the bill be amended by striking out "promote the profession of teaching and."

**The Vice-Chair:** Any comments?

**Mr Wildman:** You're saying that the purpose of the college is not to promote the profession of teaching, that it's simply to communicate with the public?

**Mr Skarica:** Yes, as requested by the teachers' federation, as a matter of fact.

**Mrs Janet Ecker (Durham West):** Just to address Mr Wildman's point, the purpose of the professional association or the union is to promote the interests of the profession. The purpose of the college is to speak out on behalf of the public interest. It was inconsistent, I believe, with the mandate of the college to have "promote the profession" in the objects.

**The Vice-Chair:** Any further comments? Shall the amendment carry? Carried.

Are there any further amendments to section 3? If not, shall section 3, as amended, carry? Carried.

Section 4.

**Mr Wildman:** I move that subsection 4(2) of the bill be struck out and the following substituted:

"Composition of council

"(2) The council shall be composed of,

"(a) 21 members who are members of the college and who are elected by the members of the college in accordance with the regulations; and

"(b) 18 persons who are appointed by the Lieutenant Government in Council in accordance with the regulations."

1550

The reason for this is that a number of representatives of teachers' federations appeared before the committee and pointed to the College of Nurses as an example that should be emulated in the bill. These are the numbers from the College of Nurses.

**Mr Skarica:** The proportion of college members to lay members is consistent with proportions found in each of the 24 colleges covered by Ontario's Regulated Health Professions Act. As examples, the nurses elected 21 and appointed 18; physicians and surgeons elected 19 and appointed 14. I have lots of other examples. The government feels that the current membership of 17 and 14 in 4(2) is consistent with the proportions of elected members to appointed members in the other colleges.

**The Vice-Chair:** Any further comments? All those in favour of the amendment? Opposed? The amendment is lost.

Any further amendments to section 4? No? Shall section 4 carry? Carried.

**Mrs Ecker:** Did the Liberals withdraw their motion?

**Mr Patten:** We withdrew it.

**The Vice-Chair:** Section 5.

Are there any amendments, any comments with respect to section 5, as written in the text of the bill? Shall section 5 carry? Carried.

**Mr Miclash:**

**Mr Frank Miclash (Kenora):** I move that the bill be amended by adding the following section:

"Quorum

"5.1 A majority of the members of the council constitutes a quorum."

**The Vice-Chair:** Any comments, Mr Miclash?

**Mr Miclash:** It's straightforward.

**Mr Skarica:** Apparently there's a provision in the bylaws dealing with that section. The government would propose to leave it in the bylaws.

**Mr Floyd Laughren (Nickel Belt):** I guess a majority of the members, if we don't put this in, would not constitute a quorum in the act itself.

**Mr Skarica:** Apparently that's addressed in the bylaws. I don't know what the numbers are.

**Mr Laughren:** I was referring to the legislation.

**Mr Skarica:** I've said my piece.

**The Vice-Chair:** Any further comments?

**Mrs Ecker:** I think issues like quorum are more properly addressed and frequently dealt with by a college within bylaws as opposed to putting them into legislation.

**The Vice-Chair:** Are there any further comments with respect to the addition of section 5.1? No. Shall section 5.1 carry?

All those in favour? Opposed? It's lost.

Section 6, any comments? Shall section 6 carry? Carried.

Any comments with respect to section 7? Shall section 7 carry? Carried.

Any comments with respect to section 8? Shall section 8 carry? Carried.

Any comments with respect to section 9? Shall section 9 carry? Carried.

Likewise for section 10, any comments? Shall section 10 carry? Carried.

Section 11, comments? Shall section 11 carry? Carried.

Section 12, any comments?

**Mr Wildman:** I move that clause 12(1)(c) of the bill be amended by striking out "or bylaw" at the end.

The amendment would strike out or change the possibility of a minister unduly using his or her power to change or revoke a bylaw of the college. A number of people have argued before the committee that this gives the minister too much control over a college which is supposed to be a self-regulating body, and we've just heard the argument vis-à-vis quorum that it should be left to the college to make its own bylaws because this is a self-regulating body, yet in this clause we would have the minister changing the bylaws. If you use the argument that we should leave it to bylaws for the college to be truly self-regulating, then it is a bit of a contradictory argument to say in another clause that the minister should be able to change the bylaws. You're either self-regulating with regard to bylaws or you're not.

**Mr Skarica:** It's a valid concern. The government would be content to vote for that change.

**The Vice-Chair:** Are there any further comments? If not, all those in favour of the amendment to 12(1)(c)?

Carried unanimously. Let the record show it.

There are further amendments with respect to section 12.

**Mr Wildman:** I move that subsection 12(4) of the bill be struck out.

**The Vice-Chair:** Agreed? Agreed. In light of the last amendment, it follows. How about subsection 12(5)?

**Mr Wildman:** I move that subsection 12(5) of the bill be amended by striking out "subsections (3) and (4) do" and substituting "subsection (3) does."

**The Vice-Chair:** In other words, you're taking out (4), which was just deleted.

**Mr Wildman:** Yes.

**The Vice-Chair:** Is that agreed? Agreed.

Next, subsection 12(6).

**Mr Wildman:** Again this follows the previous amendment to clean it up.

I move that subsection 12(6) of the bill be amended by striking out "and each order made under subsection (4)."

**The Vice-Chair:** Any comments? Agreed? Carried.

**Mr Wildman:** Subsection 12(7) is similar.

I move that subsection 12(7) of the bill be amended by striking out "or order made under subsection (4)."

**The Vice-Chair:** Any comments? Does everyone agree? Agreed.

Shall section 12, as amended, carry? Carried.

Section 13, any comments? Shall it carry? Carried.

Section 14.

**Mr Skarica:** The government moves that subsection 14(5) of the bill be amended by striking out "misconduct or incompetence" in the fourth and fifth lines and substituting "misconduct, incompetence or incapacity."

That is a housekeeping matter that is going to deal with fitness to practise later on.

**Mr Wildman:** We agree. We had exactly the same amendment.

**The Vice-Chair:** Any further comments with respect to the amendment to subsection 14(5)? Do all three carry? Carried.

Now the Liberal motion. Is it the same? They're all the same.

Shall section 14, as amended, carry? Carried.

1600

**Mr Peter L. Preston (Brant-Haldimand):** What happens to those motions that were made by the other parties? We haven't dealt with them. Have you withdrawn them? Is that in effect what happens?

**Interjection:** They're redundant. We all agreed.

**Mr Preston:** I know they're redundant, but you're just not putting them on the floor?

**Interjection:** That's right.

**The Vice-Chair:** They haven't been officially moved on the floor, so they don't become part of the process.

Section 15, any comments?

**Mr Skarica:** Yes. The government moves that subsection 15(1) of the bill be amended by adding the following paragraph:

"5. Fitness to practice committee"

The Liberals and the NDP have the same motion.

**The Vice-Chair:** Any comments? Shall the amendment carry? Carried. Shall the section, as amended, carry? Carried.

**Interjection:** Subsection 15(1).

**The Vice-Chair:** Okay, 15(1), paragraph 6.

**Mr Preston:** Can I suggest this particular motion be deferred until tomorrow?

**Mr Skarica:** We'd like to discuss it. We just got the amendments today, so we'd like to discuss it, if that's all right.

**Mr Patten:** Okay, we'll defer this one till tomorrow.

**Mr Preston:** Subsection 15(1), paragraph 6.

**The Vice-Chair:** So section 15 will be deferred until tomorrow.

**Mr Skarica:** Just that subsection, 15(1), paragraph 6.

**The Vice-Chair:** Any further amendments to 15?

**Interjection:** Subsection 15(2.1):

**The Vice-Chair:** Comments?

**Mr Preston:** Can we not leave all of 15 so we can pass 15 in total tomorrow?

**Mr Skarica:** We can deal with this.

**The Vice-Chair:** Are you moving 15(2.1)?

**Mr Patten:** Subsection 15(2.1):

"Quorum

"A majority of the members of a committee constitutes a quorum."

Simple and straightforward.

**Mr Skarica:** Again, we'd like the college to deal with this through their own bylaws.

**The Vice-Chair:** Any further comments? Shall the amendment, 15(2.1), carry? All those in favour raise your hands, please. Opposed? Lost.

Subsection 15(2.2).

**Mr Preston:** Can I ask that we defer that until tomorrow?

**Interjection:** Okay, what else have we got? Section 15.1?

**Interjection:** Same thing there.

**The Vice-Chair:** Okay. Any comments with respect to section 16?

**Mr Skarica:** The government wishes to make a motion to have the following section at the end of part II:

"Majority on committees

"16.1(1) A majority of the persons appointed or elected to a committee mentioned in subsection 15(1) shall be persons elected to the council under clause 4(2)(a).

"Panels

"(2) A panel of a committee mentioned in subsection 15(1) that consists of more than one person shall include at least one person elected to the council under clause 4(2)(a) and at least one person appointed to the council under clause 4(2)(b)."

This ensures that the majority of people elected to the executive committees are elected members of the college. It ensures that hearing panels contain at least one person elected by the members of the college and at least one person appointed by the Lieutenant Governor in Council.

**Mr Wildman:** I don't have any particular objection to this. I'm just curious as to why the government would think this kind of amendment is required to be incorporated in the body of the bill when they're arguing that



questions of quorum should be matters of bylaws for a self-regulating college. It's passing strange.

**Mrs Ecker:** As I understand the section, subject to correction by the parliamentary assistant, what we are attempting to do is to ensure that teachers understand that there is a majority of their members on some of these very significant committees. It's an attempt to answer to some of the concerns we heard from some of the presenters at the hearings.

**Mr Wildman:** That's why I don't have any objection to it.

**Mr Skarica:** Basically, nothing can happen to any teacher unless a majority of their own elected members decide to do something to them.

**The Vice-Chair:** All right. Any further comments with respect to the addition of 16.1? All in favour? Carried.

Okay, then the section as amended, which includes—

**Mrs Ecker:** No, section 16.1 follows section 16.

**The Vice-Chair:** Yes, we haven't dealt with 16 yet. Any comments with respect to section 16 itself? If not, shall it carry? Carried.

Section 17.

**Mr Patten:** I move that subsection 17(3) of the bill be amended by adding "or the fitness to practise committee" at the end.

**The Vice-Chair:** Mr Patten, any comments?

**Mr Patten:** It's just to keep it compatible with the legislation.

**Mr Wildman:** We have a similar amendment to the Liberal amendment. We would support the Liberal amendment, since it's the same as ours, but I understand there is a government amendment that has just been tabled which is somewhat different, and I wonder if the government intends to accept the amendment as proposed by the opposition or if they would prefer to move with their own wording, and if so, what is the reason?

**Mr Skarica:** If I might just have a moment.

**Mr Patten:** Can I ask a question? The package is different from what we just received as we arrived, than what we got this morning. Is that correct?

**Clerk of the Committee:** What was copied this morning, there was one of the Liberal caucus amendments that was withdrawn. Are you working from the manila folder or from your binder?

**Mr Patten:** Now I'm working with both, because what's in my binder, I don't have what I'm finding in the manila folder.

**Clerk of the Committee:** The manila folder, the only addition is what was handed out, the 17(3) of the government package. That's the only addition from what you received this morning, what each caucus received. If you copied them for your caucuses, the packages that you received this morning, there was one amendment that was withdrawn. There may be something out of order.

**Mr Patten:** It may have been our mistake. It's a different set, so—

**Mr Skarica:** The government has a similar amendment to 17(3), the same words, "or the fitness to practise committee," but we add, "and that was not reinstated under section 30 or 31." Legislative counsel has drafted it that way because 30 deals with discipline committees and we're trying to separate discipline committees and

fitness to practise committees. So that basically gives the same intent but keeps that distinction that I think all parties want.

**The Vice-Chair:** Are you going to withdraw your amendment?

**Mr Patten:** Yes, I'm prepared to withdraw mine in favour of this amendment.

**The Vice-Chair:** Okay, so that amendment's withdrawn. Mr Wildman, you have a similar amendment as well. Are you withdrawing that one too?

**Mr Wildman:** I'm just looking at it. Just a moment.

**Mr Skarica:** I think, Mr Wildman, somebody who's been disciplined at a discipline committee, we don't want them to move into the fitness to practise committee, and that alleviates my concern.

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**Mr Wildman:** All right. I accept that.

**The Vice-Chair:** Are you then moving 17(3), Mr Skarica?

**Mr Skarica:** Yes.

**The Vice-Chair:** Which is the government amendment to 17(3) that includes the words "that was not reinstated under section 30 or 31."

Is there any further comment on that? If not, shall it carry? Carried.

Any further amendments or comments with respect to section 17? Shall section 17 carry, as amended? Carried.

Shall section 18 carry? Carried.

Any comments with respect to section 19? Shall section 19 carry? Carried.

Section 20.

**Mr Skarica:** The government moves that section 20 of the bill be amended by adding the following subsections:

"Same

"(4.1) Directions may be given under subsection (4) to the applicant, to the registrar or to both, either before or after the committee conducts the review.

"Same

"(4.2) Directions that may be given to the registrar under subsection (4) include but are not limited to directions to do one or more of the following:

"1. Remove specified terms, conditions or limitations on a certificate of qualification and registration issued under section 19.

"2. Impose specified terms, conditions or limitations on a certificate of qualification and registration issued under section 19.

"3. Revoke a certificate of qualification and registration issued under section 19.

"4. Vary or eliminate a period fixed under subsection 19(7)."

The explanation for this amendment is that it provides the registration appeals committee with the authority to undo an action of the registrar when the applicant appeals to the registration appeals committee after the 60-day appeal period.

**The Vice-Chair:** Any comments? Shall the government amendment to 20(4.1) and (4.2) carry? Carried.

Any further amendments to section 20?

**Mr Wildman:** Subsection 20(6). We're opposed to this subsection. I move that subsection 20(6) of the bill be struck out.

**The Vice-Chair:** Can you explain, Mr Wildman?

**Mr Wildman:** If you look at 20(6) as it is set out in the bill on page 8, it says:

"(6) Except as provided by section 19 and this section, the registration appeals committee need not hold a hearing or afford any person an opportunity for a hearing or an opportunity to make oral or written submissions before making a decision or giving a direction under this section."

In our view, that is a violation of the natural rules of justice. It violates also, as far as we're concerned, the principles of administrative law. It's denying a person the right to a written or oral hearing before making a decision or giving a direction. It just doesn't seem appropriate in our system. Surely if a person has been accused of something, that person should have the opportunity to make a presentation to defend herself or himself prior to a decision being made. For that reason, we're opposed to this and would want it to be removed from the bill.

**The Vice-Chair:** Any further comments?

**Mr Laughren:** It's more of a question. Maybe I'm missing something here because I haven't been at every committee hearing and so forth, but I'd sure like to know why the government feels this section needs to be in the bill. I need help and I look to the Tories for help.

**Mr Skarica:** I have statistics on the number of teaching applications received from outside Ontario and they're quite large: In 1993 there were over 6,700; before that, in 1992, 7,600; 8,100 in 1991; and 9,100 in 1990.

The appeals committee may, under subsection 20(6), hold a hearing if they wish, but it would be in the government's opinion unduly expensive to have a right of hearing there. There are other provisions in the act that provide procedural safeguards and appeals.

**Mr Laughren:** I'd be nervous if I was on the receiving end of that and felt that I had every right to an appeal and was told, "No, you don't, and we've got the bill to back us up on it." I'd be nervous.

I know what the parliamentary assistant is saying, but I think you're playing fast and loose, as my colleague from Algoma said, with both natural justice and administrative law. It really bothers me that you're doing this because of the numbers the parliamentary assistant just read out, as opposed to any principle involved or the right of someone to have a hearing. That makes me very nervous, so I don't like this section.

**Mr Skarica:** It shouldn't make you feel nervous. If you go to section 32, a party can then appeal to Divisional Court—

**Mr Laughren:** Section 32?

**Mr Skarica:** —from any decision made by the registration appeals committee.

**Mr Patten:** That's even more expensive.

**Mr Skarica:** We're trying to minimize costs when you have those types of applications, and anybody who feels aggrieved can apply through section 32. Other acts have it; the Architects Act has a similar provision.

**Mr Laughren:** Turn it over to the lawyers.

**Mr Patten:** It seems to me there's due process and there's a procedure for administratively dealing with numerous applications, and I think we're mixing up the right of people who may challenge, for whatever reason,

that they qualify to be licensed, let's say, in Ontario. I think we're mixing two different things. There's an administrative problem, granted, by an in-flow of a lot of applicants, I agree, but that should not in any way take away the right, and if that right of appeal spills over into other categories for an existing licensee, then it seems to me it's not worth the effort and it shouldn't be in here.

**Mr Wildman:** I have similar concerns. I understand what the parliamentary assistant has said, but essentially what he's saying is, because of the potential cost and time involved in affording individuals the right of a hearing, that will not necessarily be provided, and if the individual feels aggrieved, that individual then can appeal to the courts.

By appealing to the Divisional Court, that essentially is saying that the cost will be put on the individual. If they don't feel that they've been treated fairly, they then will have to hire a lawyer, or I suppose their federation could hire a lawyer on their behalf, and would have to go to court and pay the costs involved in that. I suppose it would be open if they won the case that the courts might award costs, but really it doesn't seem appropriate that we should be saying you shouldn't have a hearing here and if you're not happy with that, you can appeal to the courts.

**Mr Skarica:** I might add, Mr Wildman, this is not a new power. The minister right now has the same authority and we're just transferring it over to the teachers.

**Mr Wildman:** Exactly, but I think what we're attempting to do is serve the profession in setting up a self-regulating body here, and since many of the representatives of the profession who appeared before the committee raised objections to this provision, I think we should be responding. After all, we are interested in their self-regulation.

**Mr Agostino:** I just want some advice. The cost would be at both ends. If the appeal went forward to the court level, as the parliamentary assistant mentioned, there's a cost obviously at the federation of teachers' end; there's also a cost at the government end on the other side to defend that. When you compare the cost factor—and Mr Skarica or a crown attorney would probably know better the costs involved, but I would think they'd be much more significant at that stage than they would be with the mechanism at this stage here. So if cost appears to be the driving concern here and there's no other principle involved, then I would suggest this option that the government is suggesting is a much more expensive option than just leaving it or having the appeal at that level there.

**The Vice-Chair:** Any further comments? Hearing none, I'm going to call the vote on the amendment. All in favour of the amendment? Opposed? The amendment is lost.

Any further amendments to section 20?

All those in favour of section 20, as amended? Opposed? Carried.

Section 21, any comments?

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**Mr Wildman:** It's exactly the same argument. We're opposed to 21(6) for exactly the same reasons we were opposed to 20(6), the lack of a provision for a hearing for an individual who may find action being taken against



him or her. I don't think we need to go through the argument again. We've put it; it's the same issue.

**The Vice-Chair:** Any further comments?

**Mrs Julia Munro (Durham-York):** Perhaps we just need to look at "need not hold." It doesn't mean "can't."

**Mr Wildman:** I understand that, but the problem is, by saying "need not hold" you're leaving the option open that an individual who has had a complaint brought against him might not have the opportunity of a hearing. They might, but they might not. For that reason, we're opposed to it. We think it's only fair, it's basic to our democratic system that an individual should have the opportunity to defend herself or himself.

**Mrs Munro:** But this is referring to registration.

**Mr Laughren:** Yes.

**The Vice-Chair:** Any further comments? All those in favour of the amendment to 21(6)? Opposed? The amendment is lost.

Any further comments with respect to section 21? Shall section 21 carry? All in favour of section 21? Opposed? Carried.

Section 22, any comments?

**Mr Patten:** I move that clause 22(2)(c) be amended by striking out "revocation, cancellation and suspension" in the first and second lines and substituting "revocation and cancellation." In other words, take out "suspension."

The rationale for that is simply that when something is in suspension, it may be due to an investigation that is in progress or there may be a terminal period of time declared by the registrar, and suspension may show on the record when in fact the individual may have been cleared of some kind of allegation. Suspension is a temporary state and, as such, I believe it should not be there.

**Mr Skarica:** I don't really understand the argument but if the college feels that's appropriate, there's a proviso there, 22(2), "subject to any bylaw." They could make a bylaw for the rare circumstances where a suspension shouldn't be on the register.

**The Vice-Chair:** Any further comment? Shall the amendment carry? Opposed? The amendment is lost.

Any further amendments to 22?

**Mr Patten:** I move that clauses 22(2)(a) and (e) of the bill be struck out and the following substituted:

"(a) each member's name and the class of certificate of qualification and registration and any certificate of additional qualifications that the member holds;

"(e) the member's place of employment."

In other words, we limit the nature of the information that would be on the record.

**Mr Skarica:** Frankly, I don't have really that much of a problem with (a), but (e), "the member's place of employment," would replace "information that the bylaws prescribe as information to be kept in the register." Again, that leaves it up to the college or the teachers themselves to determine what information they want.

**Mr Patten:** Well, (e) goes much further. The recommendation is specific as to what information it is.

**Mr Wildman:** Can I make a suggestion, Mr Chairman?

**The Vice-Chair:** Yes, Mr Wildman.

**Mr Wildman:** That we split the vote on (a) and (e).

**The Vice-Chair:** Is it agreed that the vote be split? Shall we deal with clause (a) first?

**Mr Skarica:** Yes.

**The Vice-Chair:** Is there any further comment with respect to clause 22(2)(a)? Shall it carry? Carried.

Now we're dealing with clause (e). Any further comments on that? All those in favour of the amendment? Opposed? That amendment is lost. Clause 22(2)(a) has carried and (e) has lost.

Any further amendments to section 22? Seeing and hearing none, shall 22, as amended, carry? All those in favour of 22, as amended? Opposed? It's carried as amended.

Any comment with respect to section 23? Shall section 23 carry? Section 23 is carried.

Section 24.

**Mr Skarica:** The government moves that the current subsection 24(3) be struck out and be replaced by the following:

"No person who is a member of the discipline committee or the fitness to practise committee shall be a member of the investigation committee."

That's consistent with, I think, all three parties' desire to separate the discipline committee.

**The Vice-Chair:** Agreed? Agreed.

Any further comments with respect to 24? All agreed that it should carry, as amended? Carried.

Section 25.

**Mr Wildman:** I need your assistance, Chair. If you want me to read the whole thing into the record, I can do so. It's long, but—

**The Vice-Chair:** I'm informed that if it's not read into the record it's not part of the record, so if you want it to be part of the record, you have to read it in.

**Mr Wildman:** I'm sure it's going to carry, so it will be part of the bill.

I move that subsection 25(1) of the bill be struck out and the following substituted:

"Investigation of complaints

"25(1) The investigation committee shall consider and investigate a complaint regarding the conduct or actions of a member of the college if the complaint,

"(a) is made by five members of the college; or

"(b) is made by any person and the complaint involves an offence under the Criminal Code (Canada) for which the member of the college has been convicted.

"Investigation, disciplinary action

"(1.1) The investigation committee may commence an investigation of a report of disciplinary action by a school board made under subsection 44(3),

"(a) upon receiving a report from the school board under subsection 44(3.2) that the grievance, or any other procedure by which the disciplinary action may be challenged, has been completed;

"(b) upon receiving a report from the school board under subsection 44(3.3) that the time in which a grievance or any other procedure by which the disciplinary action may be challenged has expired and no grievance or other procedure has been commenced;

"(c) Upon the expiry of two years after the disciplinary action was reported to the college, if no report under subsection 44(3.2) or 44(3.3) has been received in that time.

"Investigation, resignations

"(1.2) The investigation committee may commence an investigation of a report of a resignation made by a school board made under subsection 44(3.1)."

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The reason for this amendment is essentially to follow the example of the British Columbia college, which we had described to us by members of that college at the beginning of our hearings and about which many members of the teachers' federations who appeared before the committee made comment. In other words, it follows the procedure there, in British Columbia, where school boards will deal with complaints first and they will inform the college. As is indicated, after the school board has finished the whole process, and grievances and so on are completed, then the college would determine whether or not to act with regard to the lifting of a certificate.

The exceptions in British Columbia are as set out in this proposed amendment: If there were complaints from five members of the college about a member of the college—in other words, complaints from five other teachers about a teacher—the college could act immediately; or in the case of a criminal conviction the college could act immediately—or does act immediately, I understand, in British Columbia—to lift a certificate. They wouldn't have to wait.

The one exception to the British Columbia model that is proposed in my amendment is the provision for a two-year time frame. The college could begin an investigation if it hasn't received any information about the completion of the matter by the school board within two years after the board has informed the college of the complaint. The reason for that difference is that there were objections raised before the committee that if you left it solely to the boards, it might drag out very long and it might take four or five years, which would seem unreasonable. For that reason, we have the provision for a two-year period.

Also, we have the additional provision which permits the college to investigate the resignation of a member of the college. The reason for this is that we had put before us in the hearings the suggestion that in some cases school boards don't take disciplinary action in response to a complaint against a teacher, that sometimes they simply persuade the teacher to resign rather than go through the whole difficult process of discipline. The problem with that is that if it were a serious matter, you then would still have a teacher who had no blemish on his or her record and would still have a certificate, who then could go to another board and apply for a position and get a job and perhaps repeat the misconduct that was alleged in the first case.

This would try to get around that problem of a school board that might try to sweep the matter under the rug and ask a member to resign rather than go through the disciplinary process. In this case, the college could investigate the circumstances around a resignation if the college suspected that it was not simply a voluntary resignation but one that was prompted by a board making a deal with a teacher to leave its employ rather than deal with discipline.

**Mr Skarica:** The government's response is that I'm informed that 75% of the complaints may well not be

able to be investigated, given the proposed amendment. My impression from reading it is that it's unwieldy and unworkable. From my own experience as a crown attorney, section 25 really reads very similarly to sections of the Criminal Code where a criminal prosecution can be initiated by a single member of the public. In the Criminal Code, even though you can be arrested and lose your freedom in addition to your livelihood, there isn't the protection there is here, in subsection (2), where you can vet out frivolous and vexatious complaints. Also, section 25 is consistent with and virtually the same as the regulation in the current Teaching Profession Act. As well, subsection 25(1) of the duties investigation committee is consistent with section 20 of the British Columbia Teaching Profession Act. My response is that the proposed amendment is unwieldy and unworkable.

**Mr Wildman:** My only response to that is, if it's so unwieldy and unworkable, how come it works in British Columbia? Why would the government, and the implementation committee, for that matter, have pointed out to British Columbia, as well as Scotland, as one of the examples of a self-regulating college that they wanted to emulate?

**Mr Preston:** Everything could be improved.

**Mr Wildman:** Exactly. That's what we're attempting to do here by moving this amendment, to improve your bill.

**The Vice-Chair:** Any further comment? Shall the amendment carry? All those in favour? Opposed? The amendment's lost.

**Mr Skarica:** The government moves to amend clause 25(2)(a). I move that the bill be amended by striking out "misconduct or incompetence" in the second line and substituting "misconduct, incompetence or incapacity."

**The Vice-Chair:** I believe the Liberal and the NDP amendments are the same. Is that correct? The parties agree?

**Mr Wildman:** While I feel so aggrieved on the defeat of my previous amendment that I'm tempted to vote against this, I will support it.

**The Vice-Chair:** Does the amendment carry? Carried. The other two amendments won't be moved.

**Mr Wildman:** I have an amendment to subsections 25(3), (4) and (7).

I move that clause 25(3)(a) be struck out and the following substituted:

"(a) in the case of a complaint, the complaint has been filed with the registrar in a format prescribed by the bylaws."

I further move that section 25 be amended by,

(a) inserting "or report" after "complaint" in the third line of clause 25(3)(b);

(b) inserting "or report" after "complaint" in the last line of clause 25(3)(c);

(c) inserting "or report" after "complaint" in the first line of subsection 25(4) and in the last line of subsection 25(4).

I further move that subsection 25(7) be struck out and the following substituted:

"Notice

"(7) The registrar shall provide the complainant, if any, and the person who is complained against or who is the



subject of the report with a copy of the written decision made by the investigation committee and its reasons for the decision, if any."

This amendment would follow the example as outlined in the BC model. Subsection (7) requires the registrar to provide a written copy of the investigation committee decision, which seems only fair.

**The Vice-Chair:** It's my information that in light of the fact that your amendment to subsections 25(1), (1.1) and (1.2) were defeated, subsections 25(3), (4) and (7), the amendments you want to make now, are out of order. They can't be supported because—

**Mr Wildman:** You're absolutely right. I just wanted to get it on the record.

**The Vice-Chair:** All right. I've ruled them out of order.

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**Mr Skarica:** Clause 25(5)(a): The government moves that this clause be amended by adding the phrase "or the fitness to practise committee" at the end of that clause, similar to the Liberal and NDP motions.

**The Vice-Chair:** Is there agreement to that? Agreed. That'll carry, and the other two similar amendments are not moved.

**Mr Wildman:** I move that clause 25(5)(c) of the bill be struck out.

We're opposed to this clause because we don't believe the investigation committee should be able to take disciplinary action. In our view, that's not the role of the investigation committee; it's the role of the disciplinary committee.

**Mr Laughren:** I'm just wondering why it wouldn't read—if the government doesn't buy into my colleague's argument, which is hard to believe, but it might not—that they appear before the investigation committee to provide information or to aid the investigation committee in its investigation, but "to be cautioned or admonished" seems a bit strange to me for the investigation committee.

**Mrs Ecker:** One of the things it is doing is giving the committee some options, because there may well be circumstances that, in their view, do not merit a full discipline hearing and dragging a teacher or a complainant through that, but there may well be conduct that the professionals on that committee feel is worthy of some action on their part. It gives them flexibility without feeling that the only option they have is to dismiss or to drag it into the discipline process.

**Mr Wildman:** They don't necessarily have to have a hearing, do they?

**Mr Patten:** Clause (d), it seems to me, might take that into consideration, Janet: "take such actions as it considers appropriate." It seems to me that would cover your concern.

**Mr Skarica:** Yes. The reasoning I've been given as to why that is there is that it gives the latitude to the committee to caution or admonish a member if it felt that circumstances warranted a warning rather than a formal, costly tribunal, something that's beneficial to the person being looked at as opposed to harmful.

**Mr Wildman:** I think it should be read with 25(8) in mind as well. Again, we're finding a situation where this person could be admonished or cautioned without any hearing.

**The Vice-Chair:** Any further debate on this amendment? All those in favour of the amendment? Against? The amendment is lost.

**Mr Wildman:** For the same reasons we've said before, I move that subsection 25(8) of the bill be struck out.

Again, this says that there doesn't have to be a hearing, and in our view it violates the principles of natural justice and administrative law. I don't think we need to go into a long discussion on this. It just allows the investigation committee, as it's written now, to make decisions without allowing an individual who has been investigated even to make written or oral presentations.

**Mr Skarica:** Again, this is not inconsistent with any democratic principle. Under the Criminal Code, the police, when they're investigating, do not need to ever give you an opportunity for a hearing or an opportunity to make oral or written submissions before they lay a charge. It's consistent with the fact that this is just an investigation stage, not a hearing stage.

**Mr Wildman:** Without prolonging it, I purposely did not refer to the Criminal Code; I referred to administrative law. Surely, if we're talking about the establishment of a self-regulating college, we're not talking about a system which is being set up to police in the same sense as we would talk about suspected situations involving criminal activity. That is still subject to the Criminal Code and would be dealt with by the police.

**Mr Skarica:** Still, there is a disciplinary committee here, and if you require the investigating committee to hold hearings, you have a duplicated function.

**The Vice-Chair:** Any further comments? Shall the amendment to subsection 25(8) carry? Those in favour? Opposed? The amendment is lost.

**Mr Wildman:** Subsections 25(9) and (10) add two subsections.

I move that section 25 of the bill be amended by adding the following subsections:

"Timely disposal

"(9) The investigation committee shall use its best efforts to dispose of a complaint within 120 days of receiving it.

"Same

"(10) If a complaint has not been disposed of within the time specified in subsection (9), the investigation committee shall give a written estimate of the time required to dispose of the complaint to the registrar, the complainant and the person complained against."

This amendment requires the investigation committee to deal with issues in a timely fashion, within 120 days. This is similar to the Regulated Health Professions Act, and the government has repeatedly during our hearings referred to the Regulated Health Professions Act and said that this bill is patterned on it, so it is a glaring omission not to have this included in the bill. Subsection (10) permits the committee to take longer than 120 days if that's necessary, if they give a written estimate of the time required to dispose of the complaint to all parties.

We're trying to be reasonable here. There may be complex issues being investigated that will take longer than 120 days, but in that case the committee should be required to notify everybody and give some indication of how long it's going to take so that an individual member

of the college who is being investigated doesn't have an investigation dragging on and on and not have any idea of when it might be completed.

**Mr Skarica:** I have a question, Mr Wildman. What happens if the committee doesn't comply with the 120-day limit?

**Mr Wildman:** And if they haven't given an indication of how much longer it might take.

**Mr Skarica:** Yes. What happens then?

**Mr Wildman:** Individuals being investigated would have a right to complain to the college, saying that they're not being treated fairly according to the law.

**Mr Trevor Pettit (Hamilton Mountain):** Are there other time frames with any other bodies that anyone could speak to?

**Mr Wildman:** The 120 days we got came out of the Regulated Health Professions Act.

**Mrs Ecker:** I suggest that subject to how fast legislative counsel can write, and I will speak slowly to give her more time, we propose an amendment to subsection (9)—correct me if I'm doing an incorrect procedure here—and we would not accept subsection (10).

"Timely disposal"

"(9) The investigation committee shall use its best efforts to dispose of a complaint within 120 days of it being filed with the registrar."

That gives it a very clear starting date, that it's official or whatever, because "120 days of receiving it" is vague—what do you mean by "receiving it" etc? I think the change of wording as legislative counsel has proposed would make it much crisper and very clear and would still capture the meaning of Mr Wildman's motion in subsection (9).

**Mr Wildman:** I would consider Mrs Ecker's proposed wording for subsection (9) a friendly amendment to that subsection.

**The Vice-Chair:** This is an amendment to the amendment. Is there any further comment on that?

**Mrs Ecker:** Is it clear that I'm also proposing to remove subsection (10)?

**Mr Wildman:** Yes, and for that reason I would ask if the committee would divide the vote on these two subsections.

**The Vice-Chair:** All right. Is it agreed that the vote be divided? There's agreement to that.

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**Mr Bruce Smith (Middlesex):** On Mrs Ecker's comment, I wonder whether there's a need at all to address the issue of format by bylaw in terms of the complaint and how it is received.

**Mrs Ecker:** I believe there is, if I recall. I would take advice from staff on this. There is something previously, in one of the other sections, about the complaint being in writing.

**Ms Marilyn Leitman:** Yes, it's clause 25(3)(a), "a complaint in a format prescribed by the bylaws."

**Mrs Ecker:** So there is a way in the bylaws to set the format for how the complaint would come in. That would be my understanding.

**The Vice-Chair:** Okay, we're dealing with (9) first because it's been agreed that we're going to divide it and that the amendment then reads that "the investigation

committee shall use its best efforts to dispose of a complaint within 120 days of it being filed with the registrar."

Is there any further comment on that amendment? Shall it carry? Carried.

**Mr Wildman:** I want the vote split. I appreciate the suggestion made by Mrs Ecker and supported by the government party, but we still think that if, having used its best efforts, the committee can't meet that 120 days, it is only fair to all parties that the investigation committee be required to give some estimate of the length of time it's going to take beyond 120 days so it can't just sit there and go on and on forever.

**The Vice-Chair:** Any comments on that?

**Mrs Ecker:** I think it is asking the investigation committee to do something that may not be possible. I don't know how you would estimate the time required to dispose of a complaint.

There might well be circumstances where things will be delayed because of a particularly complicated case, for example, if you are dealing with some very sensitive issues where people acting as witnesses have some difficulty being there, whatever. There are all kinds of circumstances I could think of that might delay a case despite the best efforts of the investigation committee. There might be delays from the teachers who are alleged to have committed wrongdoing; there might be delays from the persons representing them that might be quite valid for representing the best interests of those teachers.

I think to try and say when it would be done is asking the investigation committee to do something that would be very difficult, if not impossible to do. In certain cases I don't think you would want to rush; you would want justice to pursue accordingly and appropriately as the facts and the circumstances of the case indicate.

**Mr Wildman:** I would go along with that but I just indicate that most investigative bodies of which I'm aware at the commencement of an investigation have at least a rough idea of how long they think it's going to take. It may end up taking somewhat longer, but in most cases they have some idea.

**The Vice-Chair:** Any further discussion? Dealing with subsection (10), shall it carry? All in favour? Opposed? That's lost.

Any further amendments to section 25?

Shall section 25, as amended, carry? Carried.

Next we deal with the government amendment with respect to the heading of part V.

**Mr Skarica:** The government moves that the heading to part V be struck out and the following substituted: "Discipline and Fitness to Practise"

**Mr Patten:** I'd like to comment on this because I think throughout the legislation from here on in you'll see all kinds of adjustments. This has been built on the supposition of a discipline hearing, and adjustments go through. My preference would be to have a separate part for the other committee. I'm not so naïve as to think that would fly, but I believe it would be neater, cleaner to have a part for fitness to practise as well as its being a totally separate section.

I think we will be making these minor adjustments all the way through to accommodate something that's been



based on one aspect, and in the minds of a lot of people, in the representations we had, this particular point was quite fervently represented. I just wanted to make that point.

**The Vice-Chair:** Any further comments? Shall the amendment to the title of part V carry? Carried.

Section 26.

**Mr Skarica:** The government moves that subsection 26(1) of the bill be amended by striking out "13" in the second line and substituting "11."

The amendment requires that the fitness to practise committee be composed of a minimum of five members and that at least one of those members be a public member appointed by the Lieutenant Governor in Council. I imagine it was felt to be unwieldy to have 13, and then five in the next subsection. The government is proposing to have it as 11 and four.

**The Vice-Chair:** Any comments? Hearing none, all those in favour of the amendment? Opposed? Carried.

**Mr Wildman:** Carried without enthusiasm.

**The Vice-Chair:** Any further amendments to section 26?

**Mr Skarica:** I'm proposing to move, with limited enthusiasm, subsection 26(2), that the bill be amended by striking out "five" in the first line and substituting "four."

**Mr Michlash:** Same vote.

**The Vice-Chair:** All right, same vote. Are we agreed on the amendment? Carried.

**Mr Patten:** I move that section 26 of the bill be amended by adding the following subsection:

"Same

"(3) At least five of the members of the discipline committee shall be elected members."

We're just going on one side of it, and I think it's important to illustrate that we're looking at a balance as we go through this and are identifying that where we number or name or allocate numbers to the appointed, we should also consider the other side.

**Mr Skarica:** With respect, it's not necessary, because with the number of 11 and with the other amendment, there has to be a majority of elected officials. We would require six on that committee as opposed to five.

**The Vice-Chair:** Is there any further comment on the amendment?

**Mr Wildman:** With about as much enthusiasm as the other vote, I agree with Mr Skarica.

**The Vice-Chair:** You're on the record on that now.

**Mr Skarica:** That's a first.

**The Vice-Chair:** Shall the amendment carry? All in favour of the amendment? Opposed? The amendment is lost.

Any further amendments?

**Mr Patten:** Yes. That would be subsection 26(3) now, wouldn't it?

**The Vice-Chair:** Don't worry about the numbers.

**Mr Patten:** All right. I move that section 26 of the bill be amended by adding the following subsection:

"Chair of committee

"The council shall appoint one of the members of the discipline committee as the chair."

**The Vice-Chair:** Comments?

**Mr Patten:** It's from within the committee and it just clarifies a procedure that I think is solid.

**Mr Skarica:** I need a minute to think.

**The Vice-Chair:** Now you're in trouble.

**Mr Wildman:** While Mr Skarica is thinking, we've thought and we agree with the amendment.

**Mr Skarica:** Does anybody have any objection? Does anybody care?

**The Vice-Chair:** All those in favour of the amendment? Shall the amendment carry? Carried.

1700

Shall section 26, as amended, carry? All in favour? Carried.

**Mr Wildman:** Have we dealt with 26.1?

**The Vice-Chair:** No, we haven't. If it's a new subsection then we deal with the old section first.

**Mr Skarica:** I move that the following be added to the bill:

"Composition of fitness to practise committee

"26.1(1) The council shall appoint at least five of its members to the fitness to practise committee.

"(2) At least one of the members of the fitness to practise committee shall be a person who is appointed to the council by the Lieutenant Governor in Council."

My understanding is, subsection 26.1(3), the government no longer needs that, so just (1) and (2).

**The Vice-Chair:** Only subsections (1) and (2) are being moved as an amendment. Any discussion? Any comments?

**Mr Patten:** Why did you withdraw (3)? Was it redundant?

**Mr Skarica:** I was told to.

**The Vice-Chair:** Do you have a comment on (3)?

**Mr Wildman:** We like (3). I'd like to know why the government has decided to withdraw it.

**Mrs Ecker:** Subject to any correction here, I believe the reason we have removed that is to give the council in terms of its members in trying to choose who would be on discipline and fitness to practise. A person would not be able to be on one or the other if they had sat in judgement on that same individual. They would have to legally excuse themselves anyway. So it would be redundant to put that in there. It gives them maximum flexibility to be able to have people on discipline or fitness to practise. You couldn't sit on fitness to practise, for example, for teacher A if you were also on a discipline panel and teacher A came before you. You wouldn't be able to sit on that discipline panel anyway but you could still be on the overall committee, if I have that correctly. I see some nods so I—

**Mr Laughren:** It doesn't deal with the principle of someone being on the discipline committee being a member of the fitness to practise committee, does it? It just says, if I understand it correctly—

**Mrs Ecker:** What would be the principle that you would be trying to honour?

**Mr Laughren:** Just that there's a complete separation in principle in my mind between discipline and fitness to practise. In my mind. I'm not suggesting everybody has to follow my mind.

**Mrs Ecker:** No comment.

**Mr Laughren:** I thought you were going to start out by saying that the only thing you were worried about was someone directly involved with an individual wouldn't be

allowed to serve on the fitness to practise committee if they were a member of the discipline committee, but I see now that's not the case. You're only concerned about—I'm not saying this very well.

**Mrs Ecker:** Neither was I.

**Mr Laughren:** The principle of anybody being on both committees is what was bothering me. And you are saying, "Oh, no, it's only a concern if they're directly involved with the hearing before the committee." That's what I think.

**Mrs Ecker:** Okay. Because the council of the college would probably wish—I don't think we want to unduly tie their hands in terms of making decisions as to who can be on appropriate committees, and there may well be circumstances where if you have a restriction like this, especially if the committee assignments might change from time to time on a council, you might have some difficulty if you have in legislation that they can't be on discipline or they can't be on fitness.

I think the key concern here is that you do not wish someone who might know something about a teacher, because of their participation in the fitness to practise committee, that they would be then using that information to the detriment of that teacher if they were also on the actual discipline panel that was sitting in judgement of that teacher.

I think as long as the legal—not precedent, but that legal restriction is there, and it is there because of—and Mr Skarica would be able to explain this better than I—that is already there, so you don't need to make separation for that reason. Having this in there would unduly, I think, tie the hands of the council perhaps if they're trying to make committee assignments.

**Mr Skarica:** That's exactly right, so I'm told.

**The Vice-Chair:** You're honest.

**Mr Wildman:** So this is for administrative convenience that the government is not putting in number (3).

**Mr Skarica:** Yes, and apparently with a number of francophones it may be a logistic problem there as well with the hearings with reference to that group. I'm not sure exactly how that works, but that may be a problem. So that's one of the reasons I think the government wants to delete that as well.

**The Vice-Chair:** In any event, only subsections 26.1(1) and (2) are being presented as amendments.

**Mr Patten:** I'd like to get a reading from counsel. Is there an overriding balance that goes through each committee in terms of elected and appointed? Because by identifying a minimum of one member, at least one member of this committee shall be a person who's appointed by the council, by the Lieutenant Governor—in other words, the appointed member of the council—why would that be put in there, and if it is put in there, why would it not also say at least, let's say, for example, two members who are elected from the council shall be on the committee?

**Mr Skarica:** We know that a majority has to be, so three to two is the most you could have. It would be three to two or four to one, one of those two numbers.

**Mr Patten:** Yes, but is there a guiding principle for any committees in terms of the balance of elected and appointed?

**Mr Skarica:** There are in some of the legislation for minimum numbers, but no. For example, if you go back to 26, you have at least 11 on the discipline committee are elected people and—what do we have?—four appointed people.

Anyway, so that would be three to two or four to one.

**The Vice-Chair:** Any further comments?

**Mr Smith:** I have a comment that will follow, I guess, (1) and (2). That comment—I may as well put it on—I guess is to the parliamentary assistant. Given Mr Patten's motion previously about the chair with respect to the discipline committee, is it appropriate that the same be considered for this?

**Mr Skarica:** Yes, that makes sense.

**The Vice-Chair:** Okay, we'll deal with that in a second, then.

Are there any further comments with respect to (1) and (2)?

Shall amendments (1) and (2) carry? That's carried.

**Mr Wildman:** In light of the previous discussion, which has failed to convince me, I would move (3).

**The Vice-Chair:** That, "No person who is a member of the discipline committee shall be a member of the fitness to practise committee."

**Mr Wildman:** That's right.

**The Vice-Chair:** Which was a government amendment to start off with, but which wasn't moved. I just wanted to get it on the record straight. Is there any discussion on that?

**Mr Wildman:** I think we've had the discussion.

**The Vice-Chair:** All those in favour of the amendment to add (3)? Opposed? That was two to seven, lost.

Mr Smith, did you want to make a further amendment at this time?

**Mr Smith:** I was simply raising the point with the parliamentary assistant as to whether or not a similar subsection be proposed with respect to this committee as was proposed by Mr Patten on the discipline committee.

**Mr Skarica:** That makes a good idea, so we have:

"Chair of committee

"(3) The council shall appoint one of the members of the fitness to practise committee as the chair."

**Clerk of the Committee:** Who's moving that one?

**The Vice-Chair:** Mr Skarica's moving that.

We need it in writing.

So (3) then will read:

"Chair of committee

"(3) The council shall appoint one of the members of the fitness to practise committee as the chair."

Any comment? Is it agreed that it carry? Carried.

1710

Any further amendments to section 26 then?

Shall section 26.1, as amended, carry? Carried.

Section 27, amendments?

**Mr Skarica:** I move that clause 27(2)(a) of the bill be amended by adding "or to the fitness to practise committee" after "discipline committee."

**The Vice-Chair:** You missed one, 27(1.1).

**Mr Skarica:** Okay, that's an addition. I'll do that after.

**Interjection:** No, that's a subsection.

**Mr Skarica:** Okay.



**The Vice-Chair:** Let's deal with that one first then, please.

**Mr Skarica:** I move that section 27 of the bill be amended by adding the following subsection:

"Same

"(1.1) The council or the executive committee may direct the fitness to practise committee to hold a hearing and determine any allegation of incapacity on the part of a member of the college."

**The Vice-Chair:** Comments? Shall it carry? Carried.

**Mr Skarica:** The government moves that 27(2)(a) of the bill be amended by adding "or to the fitness to practise committee" after "discipline committee."

**The Vice-Chair:** Any comments? Agreed? Carried.

**Mr Skarica:** I move that subsection 27(6) of the bill be amended by striking out "discipline committee" wherever it appears and substituting in each case "discipline committee or the fitness to practise committee."

**The Vice-Chair:** Agreed? Carried.

**Mr Skarica:** I move that subsection 27(7) of the bill be amended by adding "or the fitness to practise committee" at the end.

**The Vice-Chair:** Agreed? Carried.

Any further comments with respect to section 27, as amended? Shall it carry? All in favour? Anyone opposed? It's carried.

Section 28.

**Mr Skarica:** The government moves a long motion, so be patient.

I move that subsections 28(3) to (5) of the bill be struck out and the following substituted:

"Incompetence

"(3) The discipline committee may, after a hearing, find a member to be incompetent if, in its opinion, the member has displayed in his or her professional responsibilities a lack of knowledge, skill or judgement or disregard for the welfare of a student of a nature or extent that demonstrates that the member is unfit to continue to carry out his or her professional responsibilities or that a certificate held by the member under this act should be made subject to terms, conditions or limitations.

"Powers of discipline committee

"(4) Where the discipline committee finds a member guilty of professional misconduct or to be incompetent, it may make an order doing one or more of the following:

"1. Directing the registrar to revoke any certificate held by the member under this act.

"2. Directing the registrar to suspend any certificate held by the member under this act for a stated period, not exceeding 24 months.

"3. Directing the registrar to impose specified terms, conditions or limitations on any certificate held by the member under this act.

"4. Directing that the imposition of a penalty be postponed for a specified period and not be imposed if specified terms are met within that period.

"Same

"(5) Where the discipline committee finds a member guilty of professional misconduct, it may, in addition to exercising its powers under subsection (4), make an order doing one or more of the following:

"1. Requiring that the member be reprimanded, admonished or counselled by the committee or its delegate and, if considered warranted, directing that the fact of the reprimand, admonishment or counselling be recorded on the register for a specified or unlimited period.

"2. Imposing a fine in an amount that the committee considers appropriate, to a maximum of \$5,000, to be paid by the member to the Minister of Finance for payment into the consolidated revenue fund.

"3. Directing that the finding and the order of the committee be published, in detail or in summary, with or without the name of the member, in the official publication of the college and in any other manner or medium that the committee considers appropriate in the particular case.

"4. Fixing costs to be paid by the member to the college.

"Same

"(5.1) In making an order under paragraph 4 of subsection (4), the committee may specify the terms that it considers appropriate, including but not limited to terms requiring the successful completion by the member of specified courses of study."

Obviously, that amendment is to take incapacity and incompetence into consideration. It again separates the discipline committee from the fitness to practise aspect, as was recommended by many groups.

**The Vice-Chair:** Any comments? Is it agreed then that the amendment carry? The amendment carries.

Next amendment, Mr Patten.

**Mr Patten:** Did you not have a section 28.1 to add?

**Mr Skarica:** We've already moved subsections 28(3) to (5).

**The Vice-Chair:** No, it's 28.1; that follows 28. The next one is a Liberal amendment.

**Mr Patten:** It's taken care of, I guess.

**The Vice-Chair:** You're not moving it?

**Mr Patten:** No, I withdraw it.

**Mr Wildman:** We had a similar amendment and it's now redundant as a result of the amendment that's just been passed.

**Mr Patten:** That's right. Yes, it's withdrawn.

**Mr Skarica:** I move that subsection 28(7) of the bill be struck out.

**The Vice-Chair:** Is everybody on line? We're dealing with the government motion that subsection 28(7) be struck out.

**Mr Wildman:** Just on a matter of order, Mr Chair: If the government wants to remove a subsection, shouldn't we just vote it out, vote it down, rather than moving a motion?

**The Vice-Chair:** With a whole section that's possible, but not with respect to a subsection.

**Mr Wildman:** Oh, I see. Okay.

**The Vice-Chair:** Is there any comment with respect to the amendment to delete 28(7), that it be struck out? Is it agreed that it be struck out? All those in favour? Opposed? Carried.

Any further amendments to section 28? If not, shall section 28, as amended, be carried? That's carried.

**Mr Skarica:** The government moves that the bill be amended by adding the following section:

"Duties of the fitness to practise committee

"28.1 (1) The fitness to practise committee shall,

"(a) hear and determine matters directed or referred to it under sections 25, 27 or 30; and

"(b) perform such other duties as are assigned to it by the council.

"Incapacity

"(2) The fitness to practise committee may, after a hearing, find a member to be incapacitated if, in its opinion, the member is suffering from a physical or mental condition or disorder such that the member is unfit to continue to carry out his or her professional responsibilities or that a certificate held by the member under this act should be made subject to terms, conditions or limitations.

"Powers of fitness to practise committee

"(3) Where the fitness to practise committee finds a member to be incapacitated, it may make an order doing one or more of the following:

"1. Directing the registrar to revoke any certificate held by the member under this act.

"2. Directing the registrar to suspend any certificate held by the member under this act for a stated period, not exceeding 24 months.

"3. Directing the registrar to impose specified terms, conditions or limitations on any certificate held by the member under this act.

"4. Directing that the imposition of a penalty be postponed for a specified period and not be imposed if specified terms are met within that period.

"Same

"(4) In making an order under paragraph 4 of subsection (3), the committee may specify the terms that it considers appropriate, including but not limited to terms requiring the production to the committee of evidence satisfactory to it that any physical or mental condition or disorder in respect of which the penalty was imposed has been resolved.

"Same

"(5) In making an order revoking or suspending a certificate or imposing terms, conditions or limitations on a certificate, the committee may fix a period during which the member may not apply under section 30.

"Publication on request

"(6) The fitness to practise committee shall cause a determination by the committee that an allegation of incapacity was unfounded to be published in the official publication of the college, on the request of the member against whom the allegation was made.

"Costs

"(7) Where the fitness to practise committee is of the opinion that the commencement of the proceeding was unwarranted, the committee may order that the college reimburse the member for his or her costs or such portion of them as the committee fixes."

1720

That subsection provides a separate process through which issues of incapacity may be reviewed in a more facilitative and supportive forum with a view to rehabilitation rather than punishment. Again, that's in accord with the testimony we heard from a number of groups.

**Mr Wildman:** I have a question. Perhaps counsel can be of assistance. How does this government amendment relate to the proposed amendment I had to section 29 on the fitness to practise?

**Ms Leitman:** You mean your section 29.1?

**Mr Wildman:** Yes.

**Ms Leitman:** It has the same effect.

**Mr Wildman:** That's what I was reading. I was trying to read the two of them together as Mr Skarica was putting it on the record and trying to ensure that it does have the same effect. Obviously there are differences in wording.

**Ms Leitman:** In terms of powers and sanctions and process, it's the same. Your section also deals with composition and reference by counsel and executive committee, which the government's set of motions deals with slightly differently. The differences are organizational more than anything else.

**Mr Wildman:** It's the right to counsel that I'm—

**Ms Leitman:** Your motion on right to counsel comes up around section 44 of the bill.

**Mr Wildman:** All right, fine. Thank you very much for that.

**The Vice-Chair:** Any further comments with respect to 28.1? Is it agreed then that section 28.1 carry?

**Mr Wildman:** Because of that, I will withdraw 29.1.

**The Vice-Chair:** Okay, when we get to it.

Section 29.

**Mr Skarica:** I have a few housekeeping motions.

First of all, subsection 29(1) of the bill is proposed to be amended by adding "and to hearings of the fitness to practise committee under section 28.1" at the end.

**The Vice-Chair:** Comments? Shall it carry? Carried.

**Mr Skarica:** Similarly, subsection 29(4) of the bill: The government proposes to amend it by striking out "discipline committee" in the first line and in the seventh line and substituting in each case "discipline committee or fitness to practise committee."

**The Vice-Chair:** Any comments? Shall it carry? Agreed.

**Mr Skarica:** The government moves that subsection 29(5) of the bill be amended by striking out "discipline committee" in the first and second lines and substituting "discipline committee or fitness to practise committee."

**The Vice-Chair:** Shall it carry? Carried.

**Mr Skarica:** The government moves that the current subsection 29(6) of the bill be struck out and the following substituted:

"Hearings of discipline committee to be public

"(6) A hearing of the discipline committee shall, subject to subsection (7), be open to the public."

**Mr Wildman:** I'm looking at page 17 of the bill. It says here: "(6) A hearing shall, subject to subsection (7), be open to the public." What's the difference?

**Mr Skarica:** This is dealing with the discipline committee.

**Mr Wildman:** But it's dealing with the discipline committee, is it not?

**Mr Skarica:** The reason that is in there is that it ensures that hearings concerning a physical or mental condition or disorder are held in camera and that hearings concerning a matter of professional misconduct or incom-



petence be open to the public subject to the discretion of the discipline committee.

**Mr Wildman:** Maybe I'm being obtuse here, but I don't see the difference.

**Ms Leitman:** The existing subsections (6) and (7) have as a basic rule that the hearings are open but can be closed at the discretion of the committee given certain factors. The amendment to (6) makes that only relevant to the discipline committee. Then later motions add subsections (7.1) and (7.2) for the fitness to practise committee, where the basic rule is closed unless—

**Mr Wildman:** All right, thank you.

**The Vice-Chair:** Any further comment? Shall it carry?

**Mr Skarica:** As alluded to just a moment ago by counsel, the government moves that section 29 of the bill be amended by adding the following subsections:

"Fitness to practise committee hearings to be closed

"(7.1) A hearing of the fitness to practise committee shall, subject to subsection (7.2), be closed to the public.

"Open on request of member in some cases

"(7.2) A hearing of the fitness to practise committee shall be open to the public if the person who is alleged to be incapacitated requests it in a written notice received by the registrar before the day the hearing commences, unless the fitness to practise committee is satisfied that,

"(a) matters involving public security may be disclosed;

"(b) financial or personal or other matters may be disclosed at the hearing of such a nature that the desirability of avoiding public disclosure of them in the interest of any person affected or in the public interest outweighs the desirability of acceding to the request of the person who is alleged to be incapacitated;

"(c) a person involved in a civil or criminal proceeding may be prejudiced;

"(d) the safety of a person may be jeopardized; or

"(e) the committee will deliberate whether to exclude the public from a hearing or a part of a hearing."

**The Vice-Chair:** Any comments? Agreed? Agreed.

**Mr Skarica:** The government moves that subsection 29(8) of the bill be amended by adding "or fitness to practise committee" after "discipline committee".

**The Vice-Chair:** Any comments? Agreed? Agreed.

**Mr Skarica:** Similarly, a housekeeping matter:

The government moves that subsection 29(9) of the bill be amended by adding "or fitness to practise committee" after "discipline committee".

**The Vice-Chair:** Comments? Agreed? Agreed.

**Mr Skarica:** A further housekeeping matter:

The government moves that subsection 29(10) of the bill be amended by striking out "committee" in the third and fourth lines and substituting "discipline committee or fitness to practise committee".

**The Vice-Chair:** Comments? Agreed? Agreed.

**Mr Skarica:** The government moves that subsections 29(11) and (12) of the bill be struck out and the following substituted:

"Service of decision, reasons

"(11) Subject to subsection (12), the discipline committee or fitness to practise committee shall serve its decision, with reasons,

"(a) on the parties; and

"(b) where the matter was referred to the discipline committee or fitness to practise committee as a result of a complaint under subsection 25(1), on the complainant.

"Same

"(12) Where the hearing was closed, the discipline committee or fitness to practise committee may, in its discretion, serve its decision on the complainant without reasons."

**Mr Wildman:** I have some problems. I don't understand why they would render a decision without reasons.

**Ms Leitman:** The decision would never be rendered without reasons. The question in subsection (12) is whether the complainant would receive the reasons.

**Mr Wildman:** My objection stands. If you've got reasons, tell them.

**Ms Leitman:** I'm not going to speak to the rationale.

**Mr Wildman:** I would think you should tell all parties what your reasons are.

**Mr Patten:** Likewise, I think if someone is going to be judged, they need to, as they would from a judge, hear the verdict and the reason for the sentence. It seems to me it's only fair that someone would hear the reason why they would be disciplined.

**Mr Wildman:** I understand you're talking about where the hearing is closed and the closure of the hearing may be done in such a way as to try to protect the person who has been complained about. I understand that, but surely the complainant should be given some indication as to—I suppose you could just render a verdict or decision saying, "Your complaint was groundless." I could imagine that a complainant, keeping in mind that there are provisions against vexatious complaints, would be somewhat taken aback if they just simply said, "Your complaint is groundless," period, without giving any indication as to why.

**Mr Skarica:** The reason that's in there is that this deals with closed hearings. The complainant may not even be there, for whatever reasons. Accordingly, there would be no necessity in that case to give reasons. The giving of reasons may be harmful to the actual teacher who's being complained about. You can see that situation. That's why it's there.

**Mr Wildman:** Fine. I accept that.

**The Vice-Chair:** Any further comments? Is it agreed that the amendments to subsections (11) and (12) carry? Agreed.

Subsection 29(13).

1730

**Mr Patten:** I move that section 29 of the bill be amended by adding the following subsection:

"If heard by panel

"(13) A panel of the discipline committee that conducts a hearing shall be chaired by the chair of the discipline committee or a member of the discipline committee designated by the chair."

In other words, it's got to come from the committee.

**Mrs Ecker:** If the discipline committee is indeed sitting in panels, it may well be that the chair—I mean, there may be several people within that committee who are capable and competent in terms of chairing.

**Mr Patten:** That's why it says "or...designated by the chair." It's either/or. The point is that it comes from the discipline committee, the chair of the committee.

**Mrs Ecker:** Why wouldn't it anyway? I'm curious about why we'd need this motion. Because you're afraid that perhaps someone else from the council who's not on the discipline committee is going to chair a discipline panel? I'm curious about why we need the motion.

**Mr Patten:** Just to make sure it's chaired from within the committee.

**Mrs Ecker:** But if only discipline committee people can be on discipline, why would you need something that says only people from the discipline committee could chair the discipline panel of the discipline committee? Am I missing something here? Why do we need something that strikes me as redundant?

**Mr Patten:** I wouldn't think so. I wouldn't think it would be necessary, but that's what we're proposing.

**Mr Skarica:** I wouldn't think so either.

**Mrs Ecker:** Ah, you don't trust the council.

*Interjections.*

**The Vice-Chair:** We'll have our people talk to your people. How's that?

Any further comments? All right, I'm going to call the question. All those in favour of adding this amendment? Opposed? Lost, two to eight.

Any further comments with respect to 29, as amended? Is it agreed that it carry? Carried.

Now we're dealing with the two amendments to add new sections 29.1. Mr Patten, you're withdrawing the Liberal motion?

**Mr Patten:** Yes.

**Mr Wildman:** I withdraw mine too. It's already covered under the previous amendment.

**The Vice-Chair:** Would you like some water, Mr Skarica? You have some? Okay. We just want to make sure your voice is in good shape.

Section 30.

**Mr Skarica:** The government moves that section 30 of the bill be amended by adding the following subsection:

"Fitness to practise committee

"(14) Subsections (1) to (13) apply with necessary modifications to the fitness to practise committee and, for the purpose,

"(a) a reference to the discipline committee shall be deemed to be a reference to the fitness to practise committee;

"(b) a reference to subsection 28(6) shall be deemed to be a reference to subsection 28.1(5);

"(c) a reference to section 28 shall be deemed to be a reference to section 28.1."

It's a housekeeping matter.

**Mr Wildman:** I think this is the same as the amendment we put forward, so I would accept this.

**The Vice-Chair:** Agreed? Agreed.

Any other amendments?

**Mr Patten:** It makes ours redundant as well.

**The Vice-Chair:** So the Liberal amendment to 30(14) is not presented, and the same thing with respect to the NDP. Thank you.

Any further comments with respect to section 30? Shall section 30, as amended, carry? Agreed.

Section 31. Any comments? Shall 31 carry? Agreed.

Section 32.

**Mr Skarica:** The government moves that subsection 32(1) of the bill be struck out and the following substituted:

"Appeal to Court

"(1) A party to a proceeding before the registration appeals committee, the discipline committee or the fitness to practise committee may appeal to the Divisional Court, in accordance with the rules of court, from the decision or order of the committee.

"Same

"(1.1) For the purposes of this section,

(a) a person who requests a review under section 20 is a party to the review under section 20 by the registration appeals committee; and

(b) a person who applies for an order under section 21 is a party to the proceeding under section 21 by the registration appeals committee."

Again a housekeeping matter.

**Mr Wildman:** I'd just like to point out for the benefit of all members in the committee that as a young member of this House many years ago I introduced a bill and then found it needed to be amended. I went to legislative counsel and was informed by a very learned counsel that it was not good form to amend one's own legislation.

**Mrs Ecker:** If we started applying that rule, we'd all be in big trouble, Mr Wildman.

**Mr Wildman:** I think it was simply that he did not want to draw up my amendments.

**The Vice-Chair:** Does the amendment carry? Carried.

Section 32, as amended. Any further comments? Does it carry? Carried.

Section 33.

**Mr Skarica:** The government moves that subsection 33(1) of the bill be amended as follows:

(a) by adding "or incapacitated" at the end of clause 33(1)(a); and

(b) by adding "or incapacity" after "incompetence" in the second to last line of the English version.

Again a housekeeping matter.

**The Vice-Chair:** Is that agreed to? Carried.

Does that make the Liberal and NDP amendments redundant? Okay, thank you. And likewise with respect to the second one for the Liberals, and the same for NDP? Okay.

Now we're down to 33(2.1), (2.2), (2.3).

**Mr Patten:** I move that section 33 of the bill be amended by adding the following subsections:

"Notice of investigation

"(2.1) The registrar shall give the member being investigated notice of the investigation within five days after the appointment under subsection (1) is made.

"Content of notice

"(2.2) The notice under subsection (2.1) shall include reasonable information about the grounds for the investigation.

"Further information

"(2.3) The registrar shall, on request, give the member being investigated all the information, and copies of all the documents, considered by the registrar in deciding to make the appointment under subsection (1).



It's fairly straightforward. The person being investigated has notification of it and the basis on which a review may be done.

**Mr Skarica:** In a complex investigation this would mean that when the investigation starts, the person would get notice of it and have lots of opportunity to destroy information and so on and so forth. The government opposes the amendment.

**Mr Patten:** It's related to the documentation for the registrar to make the decision to carry on, so it's not necessarily all the documentation of an investigation itself by an investigation committee, for example.

**Mr Wildman:** I'm tempted to quote the former Prime Minister of Canada in pointing out that it is not proper, at least in his view, apparently, to investigate an individual without giving them notice that they are being investigated.

**Mr Agostino:** Who said that?

**Mr Wildman:** I think Mr Mulroney said that as part of his claim for \$50 million against the federal government. I just think it's such an eminent source for such an opinion, I could hardly disagree.

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**Mr Agostino:** I have concerns. If this is supposed to be something to help the teaching profession, to help students, to help restore confidence or maintain the confidence that is there, and not a witchhunt approach, why would we object to giving the individual the grounds the investigation is being carried out on, really the nature of the allegations and the type of information the registrar bases it on to forward a request? It's just boggling. If you're hitting on witchhunts, you don't want to do that, but if you're trying to do an aboveboard proper process—you're saying, "We're not going to tell you why we're looking at you and why it's been put forward." It absolutely makes no sense.

**Mrs Ecker:** I can understand the concern, but the important point is to not confuse powers of investigation with the complaint. If there has been a complaint put forward, there's notification and opportunity and all that kind of stuff that was in the previous section, but there could well be matters where a college may wish to investigate, and calling up the person you're investigating, who may have committed serious misconduct, and saying, "Hi, we're coming to investigate you," is a good way to tell somebody: "Look out. We're coming. Hide all the evidence." I think it restricts your investigators.

The registrar cannot give powers of investigation unless there are reasonable and probable grounds, so first of all, there's a legal check right there. Second, the registrar has to have the approval of the executive committee, which is another check on the proposal. So I don't think we're talking here about witchhunts, and a college that wished to enter into witchhunts would be in court very quickly because that would be abuse of their power. There are appropriate checks here to make sure this power is not abused, and you have to read that in the context of what is happening with the investigations committee and a complaint.

**Mr Patten:** That opens it up even wider, I think. Surely we agree that if there's an investigation, someone has to be notified that they're under investigation. If there is some worry about the cumbersomeness of the docu-

mentation, I would entertain a friendly motion on that, or I would split the points. But surely we can't deny the notice of investigation or content of the notice.

You may have somewhat of an argument in terms of the volume of documentation. I think that's important, but surely the notice of investigation and the content would stand.

**Mr Wildman:** I agree with Mr Patten. In listening to Ms Ecker's rationale, to use the former example, it sounded to me like the RCMP explaining why they didn't notify Mr Mulroney, and indeed they are in court as a result and having to answer a claim for \$50 million.

**Mr Preston:** They're not in court because of not notifying him; they're in court because of the statements that were made about him.

**Mr Wildman:** That's part of his claim.

**Mr Preston:** If he gets the \$50 million, he can probably give it to Sheila to help pay the GST, but that's another thing.

**Mr Wildman:** I was saying this is in a completely non-partisan way. I'm not being partisan about this. It seems to me that if an individual is being investigated, that individual has the right to know. I think one of the arguments raised by Mr Mulroney in his argument before the court was that he compared the approach of not notifying and not letting him know about this until it went to the Swiss government as Fascist.

**Mr Preston:** A scenario: A person is being investigated for a pornographic situation and they consider he's got his house full of it. You call him and tell him, "We're investigating you for having pornographic material and for using children."

**Mr Agostino:** That's a police investigation, not a college investigation. I really think there's a difference.

**Mr Preston:** That was a scenario. What we're trying to say is, do you tell a person you're about to come and investigate them for something and have them get rid of it?

**Mr Skarica:** Addressing Mr Agostino's point about witchhunts, the Regulated Health Professions Act has very similar provisions. That was introduced by your government, by the way, and carried through to fruition by Mr Wildman's government. We had witnesses who indicated to us that they didn't see any abuse in that system at all. Similar provisions exist elsewhere and there have been no witchhunts and no abuse, according to the testimony we heard here.

**Mr Agostino:** The example—are we clearly separating the investigation and the work done by this college and the investigation and work that would be done by a police force in allegations of criminal activity? If there were an allegation made of something by a teacher that was potential criminal activity of any type, would that not immediately be referred to the police and not be investigated by the College of Teachers? Can someone clarify that? If that's the case, that should be made clear. I think there's a clear difference between what this college would investigate and what the police would investigate, or the children's aid society or whoever else may be involved.

**Mr Preston:** The college may want to investigate a criminal act because it takes two, three, four years to get a criminal act settled. They may want to investigate in order to pull a certificate.

**Mr Wildman:** That's why you should have voted for my amendment to sub (25).

**Mr Agostino:** Maybe the parliamentary assistant can clarify that. Under this act, if there were an allegation of a criminal act, would the college have the power to investigate it or would their responsibility be to immediately refer that to the police for investigation?

**Mr Skarica:** It depends on what it was. If it is sexual misconduct, they're obligated under provincial law to notify—

**Mr Agostino:** But any type of alleged criminal activity?

**Mr Skarica:** They could, yes.

**Mr Agostino:** That's an important point. I think there's a world of difference between the college investigating teachers and their misconduct in relation to their teaching or the allegations of a criminal act by a teacher.

**Mr Wildman:** I think Mr Agostino raises a very interesting and important point which is central to some of the concerns that were raised by people who appeared before us in committee. Hypothetically, if it were an alleged misconduct involving sexual activity between a teacher and a student, if that student is under 16, automatically that should involve the police and/or the children's aid society. We all understand that.

Where it does become perhaps problematic—and I've had some difficulty dealing with this, to be frank—is where the student is 16 or over, yet still is in a position where the teacher is in a position of trust with that student. That trust may have been violated. It may not be a case of sexual assault or rape, but the position of trust may still be violated and may still be subject to a complaint by members of the public or other members of the profession that should be investigated. It does get complicated in that area. I just raise that to try to be helpful.

**Mrs Ecker:** Mr Wildman is quite correct that the issue is extremely complex but that there may well be circumstances—I mean, a criminal investigation is a criminal investigation, and the police would be doing that. If there were evidence of criminal illegality, that would be referred to the police. But once that issue was dealt with, it may well be that the College of Teachers may consider that the teacher's conduct within that circumstance, if they've been found guilty of something or whatever—there may well be some room for the college to say, "This is misconduct." Misconduct is not necessarily criminal illegality. There's a grey area in there, and I think that's why there are so many other checks and balances in the legislation to ensure that the teacher's rights are protected through the college process.

**Mr Preston:** Mine may have been a poor scenario. Let's just say the destruction of evidence in a non-criminal matter, all right? We're giving them advance warning if we don't have something like this in here.

**The Vice-Chair:** Any further comments?

**Mr Agostino:** Can we split that up and do (2.1), (2.2) and (2.3) for the vote?

**The Vice-Chair:** Is that agreed? Okay. All right, dealing with (2.1) first.

**Mr Wildman:** Chair, just before that, I want to make clear that the comments I made a moment ago, which I made to try to be of assistance, still do not alleviate my

concern about not notifying a person who is subject to investigation.

1750

**The Vice-Chair:** Dealing with (2.1) first, all those in favour of (2.1)? Opposed? That's lost.

All those in favour of (2.2)? Opposed? That's lost.

All in favour of (2.3)? Opposed? That's lost too.

Section 33 as amended. Any further comments? Is it agreed that 33, as amended, carry? All those in favour? Opposed? Carried.

Section 34.

**Mr Skarica:** The government moves that clause 34(1)(a) of the bill be amended by adding "or incapacitated" after "incompetent" in the third line. A house-keeping matter.

**The Vice-Chair:** Agreed? Agreed.

Any further amendments? Mr Patten, yours would be withdrawn because it's the same, and the same thing with the NDP? All right.

**Mr Agostino:** That being the only amendment, that would mean that the search powers as outlined in the bill under section 34 would remain as they are? If there's no alteration to the search powers, of a warrant being given where an investigator will be able to walk into a home while investigating a case, assuming he gets that warrant, that would still be there in the bill?

**Mrs Ecker:** It's standard. It's in the RHPA legislation.

**The Vice-Chair:** Any further amendments to section 34? Shall section 34, as amended, be carried? All in favour? Opposed? Carried.

Section 35. Any comments on 35? Shall 35 carry? Carried.

Section 36.

**Mr Skarica:** The government moves that section 36 be amended by striking out "or the discipline committee" in the second to last line and substituting "the discipline committee or the fitness to practice committee." Again a housekeeping matter.

**The Vice-Chair:** Is that agreed? Agreed. That makes the next two redundant.

Any further amendments to 36? Mr Patten?

**Mr Patten:** No, I withdraw that.

**The Vice-Chair:** Any further amendments to 36? Shall section 36, as amended, carry? Carried.

Section 37. Mr Patten.

**Mr Patten:** There's a typographical error. It should read subsection 37(1), paragraph 9.1, not 7.1.

I move that subsection 37(1) of the bill be amended by adding the following paragraph:

"9.1 governing the filling of vacancies on the committees required by the act."

This is just added to deal with vacancies.

**The Vice-Chair:** Any comment?

**Mr Skarica:** I'm just going to consult with legislative counsel. The government doesn't want Mr Patten to be frustrated.

**The Vice-Chair:** You'd have to do a lot more than this.

**Mr Skarica:** Apparently it's covered in the bylaws, paragraph 20, section 38.

**The Vice-Chair:** Any further comment? Shall the amendment carry? Carried.



**Mr Patten:** The next one, paragraphs 8 and 12 of subsection 37(1), did we keep that in the act? Are quorums in the act or are they in the bylaws or regulations?

**The Vice-Chair:** They're in the bylaws now because we didn't pass the earlier ones.

**Mr Patten:** Then the next one wouldn't apply, I believe. If it's not in the act, it's not meaningful.

**The Vice-Chair:** So you're not moving that amendment?

**Mr Patten:** To counsel, the quorums are left in regulations and bylaws? They weren't moved into the act?

**Ms Leitman:** I don't think we've passed anything that's moved it into the act.

**Mr Patten:** This would suggest to move it into the act, so I'll withdraw it.

**The Vice-Chair:** Okay, that's withdrawn. Next? Mr Skarica.

**Mr Skarica:** The government moves that paragraph 9 of subsection 37(1) be struck out and the following substituted:

"9. respecting the composition and election or appointment of committees required by this act, other than the investigation committee, the discipline committee and the fitness to practise committee."

Again a housekeeping matter to add that.

**The Vice-Chair:** Agreed? Agreed.

**Mr Patten:** I move that section 37 be amended by adding the following subsection:

"Representation on council

"(4) The regulations under paragraphs 2, 3 and 4 of subsection (1) must ensure that after each election,

"(a) a majority of the members of the council are elected members who are employed as teachers by a board;

"(b) at least one of the elected members of the council is employed as a teacher in a private school as defined in subsection 1(1) of the Education Act; and

"(c) at least one of the elected members of the council has had their candidacy approved by the Aboriginal Education Council."

**Mr Preston:** Could I have this deferred until tomorrow, please?

**Mr Patten:** You don't want to have any discussion on this at all?

**Mr Preston:** I think we would like to talk about all four of them so far.

**Mr Patten:** I don't mind, as long as it's guaranteed that we will have the time to address this.

**The Vice-Chair:** We'll discuss them right at the beginning of the hearing. Is that agreed? Okay.

Next is subsection 37(5).

**Mr Patten:** I move that section 37 of the bill be amended by adding the following subsection:

"Filling of vacancies

"(5) The regulations under paragraphs 7 and 9.1 of subsection 37(1) must set out procedures for filling vacancies on the council and committees and must require that each procedure for filling a vacancy begin within 10 days of the vacancy arising."

It's straightforward.

**The Vice-Chair:** Any comments by anyone?

**Mr Skarica:** Maybe we could have legislative counsel—because she was a little upset about the last one.

**Ms Leitman:** I'm not upset. Which last one?

**The Vice-Chair:** I don't remember seeing her upset at all.

**Mr Skarica:** The filling of vacancies: Do you have any comment?

**Ms Leitman:** Which one are you talking about?

**The Vice-Chair:** Subsection 37(5).

**Ms Leitman:** No. This links up with your amendment earlier, so the only thing I would suggest is that maybe you add the word "required" before "committees" in the third line if you're going ahead with it.

**Mr Patten:** I would accept that.

**The Vice-Chair:** Any further comments? Shall the amendment to 37(5) carry? Carried.

It's 6 of the clock. I've always wanted to say that.

We'll vote on section 37 tomorrow. We've sat past the time. The committee resumes at 10 o'clock tomorrow morning.

*The committee adjourned at 1802.*







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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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\*Pettit, Trevor (Hamilton Mountain PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

### **Substitutions present / Membres remplaçants présents:**

Miclash, Frank (Kenora L) for Mr Gravelle

Ross, Lillian (Hamilton West / -Ouest PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

**Clerk / Greffière:** Lynn Mellor

**Staff / Personnel:** Marilyn Leitman, legislative counsel



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## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 1 May 1996

# Journal des débats (Hansard)

Mercredi 1<sup>er</sup> mai 1996



## Standing committee on social development

## Comité permanent des affaires sociales

Education Quality and  
Accountability Office Act, 1995

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Ontario College of Teachers Act, 1995

Loi de 1995 sur l'Ordre  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENTCOMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Wednesday 1 May 1996

Mercredi 1<sup>er</sup> mai 1996*The committee met at 1010 in room 151.*ONTARIO COLLEGE OF TEACHERS ACT, 1995  
LOI DE 1995 SUR L'ORDRE DES ENSEIGNANTES  
ET DES ENSEIGNANTS DE L'ONTARIO

Consideration of Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

**The Vice-Chair (Mr John Gerretsen):** Can we get the meeting going, please, since we're a few minutes late. Are there any preliminary matters, anyone? Then we should go back to the items that were placed in abeyance yesterday. The first one I have is subsection 15(1), paragraph 6.

**Mr Richard Patten (Ottawa Centre):** Mr Preston, who asked for this to be stood down, isn't here. I gather he had some reason for that. We said we would discuss that this morning. Is he expected in the committee?

**Mr Toni Skarica (Wentworth North):** No. We're prepared to proceed right now. We deferred this so that we could discuss our position, and I have it now.

The government is opposed to this amendment for these reasons: The government agrees there should be an aboriginal advisory committee, but it does not agree that it should be a statutory committee, as outlined in the proposed amendment. The executive committee, registration appeals committee, investigation committee, discipline committee and fitness to practise committee are defined in Bill 31 because they directly impact the licence to teach in Ontario. Other acts have dealt with committees in the same fashion. Employees of the college will establish in regulation a number of standing, special and ad hoc committees including an accreditation committee, a standards of practice and education committee, a communications committee, an election committee and a nomination committee and an aboriginal advisory committee, if they so wish.

The self-regulating college should be given latitude in determining the number and types of additional committees it will require. The question of aboriginal self-governance, including governance of the education of aboriginals, must be resolved between federal and provincial governments and aboriginal peoples. The college must have the flexibility to respond appropriately to changing circumstances as aboriginal governance questions are settled. Enshrining a specific committee in the legislation itself will limit the ability of the college to respond to changing circumstances. The word "governance" in the title of this committee is quite inappropriate because it would not actually give governance to aboriginals. So that's the government position.

**Mr Patten:** This is in response to 15(1)?

**Mr Skarica:** Subsection 15(1), yes.

**Mr Patten:** In terms of the aboriginal teacher education governance committee.

**Mr Skarica:** That's correct.

**Mr Patten:** I'd welcome a comment from legal counsel on this in terms of what the minister's powers are at the moment in relation to instructing the college to address a particular issue or to somehow deal with something such as this, for example.

**Ms Marilyn Leitman:** In terms of the constituencies represented on council?

**Mr Patten:** Yes. Well, in terms of this particular recommendation, let's say.

**Ms Leitman:** There are two places; one is in terms of representation among the elected members of council. You have to look at the reg-making power in subsection 37(1), where the college has the power to define constituencies along regional, occupational and other lines and prescribe the number of representatives for each constituency defined in that way. Those regulations are subject to the approval of Lieutenant Governor in Council. For appointed members of council—

**Mr Patten:** No, I'm thinking particularly of the committee that would deal with the aboriginal issues related to 15(1).

**Ms Leitman:** As in whether such a committee would be established absent something in the statute?

**Mr Patten:** The message I've received is no, we don't want to do this because we don't want to tie the hands and the flexibility of the college; however, the government is supportive of having the college address it, which I take is acknowledging the validity of some special attention being given to the aboriginal education system. But if it's not going to be here in the legislation or the regulations, what responsibility will the college have in responding to a minister's request, or can the minister direct the college to address a certain concern?

**Ms Leitman:** There are a few answers. Clause 12(1)(b) allows the minister to "require the council to do anything that, in the opinion of the minister, is necessary or advisable to carry out the intent of this act." There's the issue of constituencies under council regs and under regs governing appointment which would affect representation on council, which has the power to establish committees. Other than that, it's the council's business to establish other committees as it sees fit.

**Mr Patten:** All right. I'm searching for trying to be supportive of the intent, and I gather we share the intent. Does that mean that the minister can, under clause 12(1)(b), "require the council to do anything that, in the opinion of the minister, is necessary or advisable to carry out the intent of this act," so that the minister could require or could request the council to address this issue and consider a committee or whatever it is or ask them to institute something?

**Ms Leitman:** If in the opinion of the minister that was advisable to carry out the intent of the act, yes. There is some evidence in the act that it intends to have broad representation from different constituencies. That's as much as I can help, I think.

**Mr Patten:** Okay. Toni, are you suggesting that the minister would be prepared to make a request of the college in addressing the unique concerns of the aboriginal educational system?

**Mr Skarica:** I think the minister's prepared to leave it to the college itself initially, and if that becomes a concern, then as it was indicated, the minister then can intervene as required.

**Mr Patten:** That doesn't give very much hope, it seems to me, that this might happen if the college addresses this, and if it doesn't, what's the point of having something in there that says if the minister believes that something is necessary or even advisable to carry out, he wouldn't be prepared to stand up and be counted in the interests of our aboriginal brothers?

**Mr Skarica:** You can make the same argument for other groups that haven't been included, such as francophones and so on. It's obviously not the intent to exclude them either.

**Mr Patten:** People keep comparing—I think it's apples and oranges. All the others are within the funding situation and there's a direct relationship with the Ministry of Education and Training. The aboriginal people are caught between a rock and a hard place. They're funded primarily by the federal government, except the federal government has requirements that they be recognized under the certificates for practice as teachers by the provinces and so they are obligated to come to the province to deal with the recognition factor.

We know their total system is quite different. We have a lot to learn from them, it seems to me. I think they have rationally and intellectually and compassionately put forward a request in a highly reasonable manner. I believe that we have a responsibility to try to satisfy that.

In the absence of defeating the motion here, in the absence of a commitment from the government or the ministry to support the aboriginal people in a situation not of their making, as is typical, usually considered an afterthought—not thinking of them, thinking of them just

as numbers is an embarrassment. It's not just numbers because they're not really of our particular system. They have a completely different cultural context, methodologies, historical, traditional ways of coming at education that I think we should be respectful of, and this is one way in which we can demonstrate that.

Frankly, I'm quite disappointed and I think you'll see that the aboriginal community will be very disappointed in this one as well.

Anyway, I'll still move that subsection 15(1) of the bill be amended by adding the following paragraph:

"6. aboriginal teacher education governance committee."

**The Vice-Chair:** That was moved yesterday.

**Mr Frank Miclash (Kenora):** Just to follow up on the comments made by my colleague, as we know, we heard from the Aboriginal Education Council, the Aboriginal Education Network, the Ontario Federation of Indian Friendship Centres, and they put forth a very, very good case that their groups should be recognized. They indicated that all of the teachers had to have Ontario teaching certificates to teach within their system. I think the government is certainly letting them down by not listening to what I thought was a very good case put forth by these groups. They indicated that their numbers in terms of success within the aboriginal communities were far behind those of the system in terms of other students in the system. They made a good case for that.

I think what they were looking for was some recognition. Through this amendment and motion that we put forth, I think this would have given them that recognition that they were looking for. So again, I'm very disappointed that the Conservative members on this committee have decided that their case was not a worthwhile one.

**1020**

**Mr Skarica:** I would only add that there still can be a committee. It's up to the college itself now to formulate it.

**Mr Miclash:** But we did have the chance to put it in the bill, and that's the important thing; you did not do that. I think that's what's going to upset these groups very much, that we chose not to put that as part of the bill, which they were asking for. I think that's where they're going to be very disappointed.

**Mr Bud Wildman (Algoma):** I apologize for being late. I had a meeting downtown.

I just wanted to make the one point that may have already been stated, that while we recognize the difficulty the government might face in accepting such an amendment, and we also recognize the need of many other groups to be represented, whether they be francophone or visible minorities, disabled and so on, all of whom have special needs and concerns, I want to register our serious concern about suggesting that aboriginal people are an interest group or a group like any other.

In fact, they are not a group like any other. Unlike all of the other groups we mentioned, other than the francophone groups, aboriginal people are the only ones who are specifically singled out in the Constitution of Canada as a group that has rights that are not enjoyed by the rest of us. It is quite inappropriate to see them simply as a group like any other.



**Mr Dominic Agostino (Hamilton East):** I apologize as well for being late.

I'm surprised, frankly, that the government members would not support this, because we remind the members that this is inconsistent with what you're coming down with in the workfare proposals. It's ironic that in the discussion papers that have been banded about in relation to workfare, there's clear reference to setting up specific programs for aboriginals. There's specific reference acknowledging that special role to acknowledge that uniqueness, that distinctiveness that is there and the fact that they're not just another group.

You've acknowledged that in workfare; I find that interesting, that you would acknowledge that in a program that many of us see as punitive, that many of us see as degrading to people, you've chosen to go ahead and take the aboriginal community and say, "Okay, we're going to set up different programs here," but you've chosen not to do that here in an educational system. If you're going to be consistent, let me suggest that if you've done that in workfare and if it's appropriate to do it there, then it's appropriate to do it here as well. Maybe someone can explain to me what the rationale would have been behind setting it up in the workfare proposals and the documents and the discussion papers that have been set out, and not doing it here. Because it's totally inconsistent.

**Mr Skarica:** Speaking of consistency, to respond, the provisions here are very similar to the health professions provisions which were introduced by the last government. Again, the aboriginal peoples are not precluded from having an advisory committee; it's just that it's not legislatively mandated. There can be an advisory committee set up by the college itself through the self-governing provisions in the act.

**Mrs Marion Boyd (London Centre):** That's all very well, but the experience of aboriginal people in this province and in this country has been that when they are put in a position like that and it's left up to a group on which they have no assurance of representation, they are shut out. They were very clear in their representations here that that has been their experience, and that without a positive action on the part of government, such as we did in 1991 by putting an aboriginal education institute in place so that they had an official voice, in fact they are not heard.

I think it is very important and it will be watched very carefully as an opportunity for this government to be very clear that they recognize the exceptional position of aboriginal people in these circumstances, that it is a very important issue of work between the federal and provincial governments; the federal government, quite rightly, wanting to ensure that they are not infringing on the province's rights by saying that someone has to hold a valid teaching certification, but then the province is saying, "But we do not recognize the very specific needs that aboriginal people have brought forward."

I think it will certainly be seen as further evidence, if that were required, that this current government does not recognize the importance of government-to-government negotiations, government-to-government decision-making, around the issues that affect aboriginal people.

It is not a minor matter, and it is scant comfort to aboriginal people to be told, "Well, there's nothing to preclude their being included," because their experience has been that they are systematically excluded unless there are specific actions taken to include them.

**Mr Wildman:** I would just add very briefly to that, and I'm sure it's been alluded to this morning, that compared to almost any other group in the population, the lack of success in reaching secondary school graduation among aboriginals is almost unique, unfortunately. Surely all of us should be doing what we can to empower aboriginal people to be able to have a greater say over the education of the children and the qualifications of people who are responsible for that education in order to try and turn around what is a horrific record in terms of failure to meet the needs of aboriginal kids.

I want to emphasize that I'm certainly not being partisan about that. I think that all governments of whatever stripe have failed to meet those needs.

**The Vice-Chair:** Okay. Shall the amendment carry?

**Mr Agostino:** Can we get a recorded vote?

**Ayes**

Agostino, Boyd, Miclash, Patten, Wildman.

**The Vice-Chair:** All those opposed?

**Nays**

Carroll, Ecker, Froese, Pettit, Skarica, Smith.

**The Vice-Chair:** The amendment is lost.

**Mr Wildman:** Just a point of interest: Aboriginal people of course would not have had a vote like that. They would have continued debating the topic until there was unanimous agreement.

**Mr Skarica:** We'd never leave.

**Mrs Ecker:** You go talk to your House leader and we'll talk to our House leader.

**Mr Patten:** Subsection 15(2.2) and section 15.1: If this is defeated then this follows and wouldn't take effect. However, I would undertake to share this with the college to consider in their own way and hopefully the minister will find it within his vision to acknowledge the necessity of the college addressing the aboriginal school in the educational system. So I withdraw these two amendments.

**Mr Miclash:** Have both the amendments been read into the record?

**The Vice-Chair:** They were all moved and read into the record yesterday.

Is it the pleasure then that section 15 be carried, as amended? There were a number of other amendments made to it yesterday. These numbers were stood down. All those in favour of section 15, as amended, carrying? Opposed? That's carried.

**1030**

**Mr Trevor Pettit (Hamilton Mountain):** Mr Chair, 15.1, 15(2.2), they're all gone?

**The Vice-Chair:** Yes, because they follow 15(1), and since 15(1) didn't carry, we don't need to deal with them.

The next amendment that we still have from yesterday was your amendment, Mr Patten, dealing with subsection 37(4). Any comments, Mr Patten?



**Mr Patten:** Yes, of course. This one was presumably asked to be stood down on the basis of the reference to "at least one of the elected members of the council has had their candidacy approved by the Aboriginal Education Council." This section wasn't read into the record yesterday.

**The Vice-Chair:** It was not read into the record to the best of my recollection.

**Mr Patten:** Let me read it in and then I'd like to make a comment.

I move that section 37 be amended by adding the following subsection:

"Representation on council

"(4) The regulations under paragraphs 2, 3 and 4 of subsection (1) must ensure that after each election,

"(a) a majority of the members of the council are elected members who are employed as teachers by a board;

"(b) at least one of the elected members of the council is employed as a teacher in a private school as defined in subsection 1(1) of the Education Act; and

"(c) at least one of the elected members of the council has had their candidacy approved by the Aboriginal Education Council."

This has two issues, but I think it's the heart, frankly, of this whole legislation. As many of you know, there certainly were no teacher federations or the OTF or any body on the professional side that did not say they felt there was not a clear majority of practising teachers on council. We're in touch almost daily, as I'm sure many of you are, with most of the federations and I would tell you that a good number of the federations would support this particular amendment.

I would refer back to a comment that was made by former Premier Davis where he said, "No model should go forward without the enthusiastic support of the teaching profession." That's been cited numerous times. While you know there is resistance throughout the federations and the OTF, there is some acknowledgement that, "All right, if this is going ahead, then at least let's get it right." They have done a lot of homework, they have made presentations, they have made amendments and have presented to committee what they'd like to see changed.

I believe this is the heart of whether or not you have what I would call—I'm not even sure if it would be half, but you'd have a significant proportion, because right now it's about 90% against, 94%, something in that neighbourhood.

If you believe in what Premier Davis said—and I do; I think it's important that we're talking about a self-regulating body of practising teachers—then it's not there right now. The NDP who put forward the idea and formulated the implementation committee had the wisdom to change their minds based on representation. They could have stuck and said, "It's our recommendation, therefore we won't make any changes," but they recommended the addition of members. That was not supported by the government side.

So we come down to this, the last recommendation for dealing with the composition of the council. It recognizes and acknowledges the overall number of 31, it acknowl-

edges that 17 are elected, but it recommends a movement of two people. In the grand scheme of things, this is, in my opinion, the symbol of the whole of the college, two people, and that those two people are from our practising teachers, in other words, they're engaged by a school board as teachers—which can still accommodate the recommendations of involving supervisory staff or representatives from the faculties of education as part of the appointment process and honours the overall balance, but it clearly sends a message and, believe me, would be welcomed somewhat reluctantly by a good portion.

I'm hesitant to say whether this would represent half of the teachers, but a good portion would truly welcome that, would then say that at least it's moving in the right direction and I think would not go as far as the BC model but would give classroom teachers or practising teachers a one-person majority on the council who are supported from the public side.

It acknowledges the private, and it suggests in clause (c), and if there is a problem with that, we could deal with the subsections individually, but it will be on the basis, frankly, of this that will enable us to recommend to our caucus which way we go in terms of supporting the legislation.

But regardless of that, the power is there on the government side. You can do what you want. You can listen to it, you can respond or you can ignore it. I suggest to you that if you ignore it, an overwhelming majority of teachers are not supportive and it flies in the face of, "No model should go forward without the enthusiastic support of the teaching profession," as Premier Davis had said. I think that most members would want to propose something to a profession that would be welcomed and embraced and that we would start off in establishing a college with teachers being highly enthusiastic, rather than feeling somehow they were placed into a corner and all of the negative assumptions about maybe a very tiny few, as there would be in any profession, is the reason why this is being set up and not because there's a recognition of the quality of the teaching profession as we know it now, and of course this would help to improve it if we were to make the corrective amendment.

I truly plead with the committee to consider this very carefully, for I believe it's the seminal point that remains in order to gain the support of a good number of the teaching profession.

**The Vice-Chair:** Just for clarification, so there's no mistake about it, the Aboriginal Education Council is a different organization than the aboriginal teacher education governance committee that you—

**Mr Patten:** Yes, it is.

**The Vice-Chair:** Okay. There was some confusion about that.

**Mr Wildman:** I want to say that we are in support of this amendment. Keeping in mind that the committee in its wisdom, or lack of it, decided not to vote in favour of the amendment we put forward on section 4 and also to vote down the amendments we put on section 25 that would have changed the approach of the college to be more in line with the BC model, although not in terms of

membership, I think it's all the more important then that the committee very seriously consider this amendment.

I remember very clearly the position put forward by the representatives of OTS who appeared before the committee, and I think their parting remark at the end of their presentation was that it would be a very serious problem—I'm paraphrasing, of course—if the government, the Legislature, passed this legislation setting up a college that was opposed by the vast majority of teachers.

1040

I also remember the presentation made by the representatives of the Federation of Women Teachers' Associations of Ontario where they clearly said they were opposed to the model being put forward in this legislation while not necessarily being opposed to the concept of a college. One of the major problems with the model was the perception that this college would not be truly self-regulating, partly because of the membership on the council as well as a number of other issues related to the workings of the college proposed for Ontario, which would be quite significantly different from British Columbia.

Keeping in mind the comments made particularly by the representatives of OTF and the federation of women teachers, I would support this amendment and hope the committee would seriously consider it. I agree with my colleague Mr Patten that there are two issues being proposed here in this amendment. Clause (c) is a different issue, and I would hope that if the government members are not able to support the amendment in total, they might then consider at least dividing the vote so that we can deal with the membership as it relates to the concerns of teachers; that is, for (a) and (b) separate from (c), since they are two different issues. I also indicate of course that we are in support of the proposal in (c).

**Mr Miclash:** Let me just follow up on what Mr Wildman has said. I think it's very important that we divide the vote on this particular issue, and I go to clause (c), which says, "at least one of the elected members of the council has had their candidacy approved by the Aboriginal Education Council."

Again, I go back to the three presentations that we had made by aboriginal groups appearing before the committee. I think it was referred to earlier, what they said about the horrendous record on behalf of all governments in education among the aboriginal population. I have to say, as a former educator with a large native population in the schools in which I taught, I saw this and I think we have to ensure that we give this particular group every avenue we can in terms of government to allow them to bring these particular issues to the forefront. So I am certainly in favour of dividing the vote among the three different issues involved in this.

As well, I'd like to go back to what my colleague was saying in terms of the former Premier, Mr Davis, and just say to the committee that this is something I'm hearing from all the teachers as I travel throughout the province, and particularly in the riding, that they would like to be able to support the college but they certainly want to be able to have some changes in terms of the makeup.

So a very important motion, and I hope the government side will see fit to not only support all three parts,

but particularly (c), which I have indicated would give aboriginal representation.

**Mr Jack Carroll (Chatham-Kent):** Just a quick point of clarification for Mr Patten: In clause (a) of the proposed amendment, "...members who are employed as teachers by a board," is that synonymous with members who are members of one of the teaching federations?

**Mr Patten:** No. What that attempts to do is to say they're employed as teachers by a board, meaning that they are a practising teacher.

**Mr Wildman:** They would be members of the federation. You can't teach without being a member of the federation.

**Mr Carroll:** Basically, the only people who are employed as teachers by a board, as you understand it here, are members of one of the teachers' federations?

**Mr Patten:** Yes.

**Mr Carroll:** So what you're recommending here is that members of the teachers' federations have a majority on the College of Teachers?

**Mr Patten:** I wouldn't say that.

**Mr Carroll:** Is that what this says?

**Mr Patten:** Well, you ask me, does this mean—if they're teachers and they're members of federations, therefore the federations have a majority. Well, what does that mean?

**Mr Carroll:** I'm just trying to understand. This basically says that members of teachers' federations would have a majority on the College of Teachers if we pass this amendment. Am I understanding that correctly?

**Mr Wildman:** Members of OTF.

**Mr Carroll:** Right. Okay. I just wanted to understand that.

**Mr Patten:** If I could just respond, I know the worry, because it's been identified that people are worried about the federations somehow taking over the college and all this kind of thing. I think we should talk about that. I don't see it that way. It depends on the electoral approach as well, of course, and how that is developed. Teachers, I gather, are required to be members of these federations, so in a sense you can say yes. But does that mean the federations themselves are going to be involved in the actual elections of people?

**Mr Wildman:** No.

**Mr Patten:** No, they're not. So if you're attempting to raise the question of, does this increase the opportunity for the federations to somehow influence the whole electoral process, I would say no. It does give individual teachers and teachers collectively, though, as a self-regulating body, the majority, as it is in every other body that I see, because they are practitioners. It's defining practitioners, and the way to do it is to use the definition in the act, which says that a teacher is hired by a board to teach, essentially.

**Mr Carroll:** I guess my problem with it is that it defines a classroom teacher as a member of one federation, and I have a problem with that—

**Mrs Boyd:** The act does that.

**Mr Carroll:** —because there are lots of other classroom teachers beside those who are members of the federation.

**Mr Wildman:** No, there aren't.



**Mr Carroll:** As I understand it, there are.

**Mrs Boyd:** No.

**Mr Patten:** I don't think so.

**Mr Wildman:** The Education Act requires them to be members of the federation.

*Interjections.*

**Mr Carroll:** They're appointed by school boards.

**Mr Wildman:** The act requires teachers, people who teach in the province, to be members of one of the affiliates of OTF.

**Mr Carroll:** Teachers in all schools?

**Mr Wildman:** In all public and separate schools.

**Mr Carroll:** Okay. That's my point.

**Mrs Janet Ecker (Durham West):** There are some significant editorial and logistical concerns with this particular amendment, which causes some of us some concern, but to speak to the main issue here, I've shared concerns, as I think many of us have, about how we make sure that teachers understand what is happening here and make sure that teachers are supportive of this. I think that's an important objective, and I've spent a lot of time talking to many front-line teachers to sort of wrestle with, how do we amend some of the things in the College of Teachers to gain that acceptance? Because there was much support for the concept of a college when this started from many of the groups and from many teachers, and I think the principle is supported, but there are some specifics that we as a government have attempted to change.

I was personally quite supportive of perhaps changing the makeup of some of the 17. I certainly agreed that a private school teacher is a teacher. I was open to an argument about supervisory and the faculty elected, because there is faculty appointed. But I must say that when I sat down to discuss that with some teacher representatives to sort of say, "Will this help if we were to change those two?" the reaction I got back was no, no, no; the proposal or the idea and the suggestion they wanted was to decrease the number of public significantly, down to around eight, and that making some change in the 17 was not going to help in terms of trying to get teachers to support and understand the role of the college.

This is a delicate balance that we have here. This college is something that, yes, is regulating teachers, but it's doing it in the public interest. I think there has to be seen to be credibility on the public side as well. I found that if there had been some room to perhaps gain some support from teachers by making some changes in those 17, I personally might have been prepared to argue for that, but I was told that wouldn't work, that it wasn't going to answer those needs. So therefore I have some concerns about this.

1050

You've mentioned the BC college. I think what we've been trying to do is to keep self-regulated professions within Ontario to have some consistency across the board, so therefore we've attempted to make the percentages on the council consistent with what's happening with the health professions. It is interesting to note, for example, that in the doctors' college, as I understand, and some of the others, the faculty reps are considered part of the

professional majority. Those doctors who are part of faculty are still considered and accepted as doctors, as members of the profession.

On the final point regarding the Aboriginal Education Council, we've had the discussion about making a separate body on the college, but I think it is important to note that the teacher implementation committee has recommended that we have specific aboriginal representation on the council. It is my understanding that the minister agrees with that and that in terms of the appointed representation on the council there will be steps to try to acknowledge and to accept that recommendation.

I think, as Mr Agostino said earlier, there has been a recognition of some of the unique needs of the aboriginal community, certainly in the development of workfare. There is not legislation demanding that the government do this, but the government is trying to respond to that concern. It's a positive development and there is some sense that this government recognizes that and is prepared to respond in other ways to help meet the needs and the interests of the aboriginal community. So I believe the minister will be attempting to follow through on that particular committee recommendation.

**Mr Agostino:** This one here, I think, is critical. If you look at the general concept of the self-regulating bodies, generally the majority must be the individuals that are going to be affected by decisions, and that is the classroom teachers. The tie with OTF is really not a factor here, because clearly to be a teacher in this province you must belong to a teachers' federation if you're in a public or separate school. The issue of private schools is addressed with the amendment that there will be one member from the private schools across Ontario.

But the sheer reality is that the members who are going to be affected are members of the teachers' federation. It's that simple. They're the classroom teachers. You must belong to one of the affiliates of the federation to be able to teach in this province. That is something in the Education Act. That is something that has nothing to do with this bill. So it is not a back-door attempt by OTF to try to control this college. The reality is that you must be a member of OTF to teach in this province. That's really my view. It's not at all relevant to the issue of control. What is really at stake here is, are you going to give the individuals who are affected by the decisions made by this college directly, and that is the classroom teachers, the majority on this committee? It's that simple.

I really believe it will go a long way towards having teachers buy in. There will still be some teachers and there will still be some federations and there will still be people who will have some difficulty with the whole concept of a College of Teachers in Ontario. However, I think you will go a long way towards satisfying the needs and the concerns of many of the teachers and many of the federations across Ontario if you make this amendment.

If you refuse to do this, what you have set up is a very confrontational, very much us-against-them attitude towards this college and one that is not going to buy this government any goodwill with the teachers, and I think we'll continue to receive overwhelming opposition from

classroom teachers in this province. It's something I would hope the government members will bend a little bit on and understand that for this concept to work, you've got to buy into this amendment that the classroom teachers have the majority. If you don't, this thing is doomed to fail right from the beginning and you're setting up years of confrontation between this government and teachers across this province.

**Mrs Boyd:** I think the real issue here is the view of the various teachers who appeared in front of the committee that if supervisory officers are one of these groups and education faculty are another, it means that people who are not teaching within a classroom, who don't have that perspective, would not have the majority on the council. I think they are saying there is a difference in perspective and in decision-making positions that would be taken by people who are in the classroom and those who are in a supervisory role.

Mrs Ecker suggested that physicians who teach in a faculty are the same as people who teach in an education faculty, and that is not the case. We've spent a lot of time, various governments, in trying to negotiate with medical faculty people who also practise how to deal with their salaries because they still practise. That has been a big issue and it has gone on and on. They still practise. They are still physicians.

In many cases they practise because they have a philosophical belief that they cannot teach someone else how to be a physician or surgeon unless they are practising at the same time and using their experience and learning the new techniques and doing that sort of thing, so I think the analogy is not very appropriate, whereas somebody who is a supervisory officer, who is part of the administration of a school board, who is out of the classroom, by necessity of their position takes a different position than a person who is in the classroom, and similarly with a faculty of education. You are in a position of teaching teachers, not of teaching children and youth, and that is a different perspective.

On that score this is a good compromise in that it meets some of the demands, and Mrs Ecker is quite right, not all the wishes of those who oppose the college, but it would certainly ameliorate to some extent the real problems that are there.

With respect to (c), there is a very big difference between someone who is appointed by the minister and someone who is elected from among their peers. While I am sure the aboriginal community would be the first to acknowledge the expression of goodwill on the part of the minister, that the current minister would necessarily see that as an important aspect of appointment, that waits on the pleasure of the minister of the day. Those appointments can be removed, whereas elected positions carry the full weight of the election of peers. There is a very big difference in those two things. If we are really concerned about having aboriginal teachers be part of this group and part of the decision-making power in the council, we have to recognize that those are differences.

I think this is a good compromise in terms of the real issue of controversy that has arisen. It maintains a delicate balance. It enables the minister to balance things

out with the expertise of supervisors, with the expertise of faculty of education people, without offending against the principle that those who are actually practising the profession are the ones who self-govern. That needs to be taken into account by the government.

**1100**

**Mr Wildman:** I want to make a couple of brief points in response to Mr Carroll and Mrs Ecker. The fact that a practising teacher in the classroom must be a member of OTF under the Education Act does not necessarily mean that this amendment would give the federations as institutions control of the college. While I don't necessarily support this, I understand that the college is contemplating elections which would not allow for members of executives of the affiliates of OTF to be candidates, and they are not practising teachers themselves at this moment. Most of them are on leave from their particular boards to serve as executives of the federations.

We're not talking about leaders of the federations in this amendment; we're talking about people who are actually in the classroom who happen also to be members of the federations because of the law and because most of them want to be members of the federations. This is not an attempt to give the federations control; it's an attempt to ensure that classroom teachers have a majority in a self-regulating body, and not a large majority; a plurality, really.

The other issue raised by Mrs Ecker was that the presentations before the committee basically talked about the need to lower the number of public members appointed to the council rather than make changes in the 17 that would be elected. I'm sorry, but I didn't get the same impression.

Certainly a lot of members of the federations appearing before the committee indicated they would like to see a larger percentage of the total be members of the profession and a smaller percentage be members of the public. However, they made significant presentations with regard to the composition of the 17 and argued that supervisory personnel, for instance, should not be counted among teachers as a way of indicating that the teachers had a plurality. Recognizing that supervisory personnel in most cases must also have a teacher's certificate, the view was that they have a very different perspective from the practising teacher in the classroom, as it might be argued in some cases that executives of the federations might have a somewhat different perspective from both of them.

I hope that while all those groups, practising teachers, members of the federations and supervisory personnel, are interested in good education for students in Ontario, they come from different points of view on some issues. This amendment tries to ensure that the point of view of teachers in the classroom has some important sway in the council.

**Mr Carroll:** I don't want to belabour the point but I do need to set the record straight. Mr Agostino said you must be a member of OTF to teach in this province. That is not true. There are thousands of people in this province who are not members of OTF who are classroom teachers, so I think that statement needs to be corrected. I don't have any problem with classroom teachers having the majority of influence on this board.



**Mrs Boyd:** In a publicly funded system?

**Mr Patten:** They're in the private area.

**Interjection:** They're in the private sector and that's all they've been.

**Mr Carroll:** There are 130,000 members of OTF, roughly. There are 200,000 people with valid teaching certificates in the province of Ontario. You do not need to be a member of OTF to teach in Ontario. I just wanted to set the record straight.

**The Vice-Chair:** I think that comment that was made was corrected.

**Mr Carroll:** Mr Agostino said you must be a member of OTF to teach in the province. That is not true. You do not need to be a member.

**The Vice-Chair:** I know that's what he said, but I think it was corrected. Just go on.

**Mr Carroll:** I just needed to make sure. My point is that classroom teachers are not synonymous with members of OTF.

**Mr Skarica:** I just want to turn to the evidence that we heard during the committee hearings. It was interesting to listen to the Ontario Teachers' Federation because not once did they indicate they wanted control or that they wanted federation people on the council. They said the words "classroom teachers" over and over again. Let's look at that.

Of the 17 members who have a teacher's certificate, 14 will be federation members who will be classroom teachers. We heard from the private school sector, which teaches 75,000 children, that their representative will be a classroom teacher; we heard from the faculty of education people that their representative would be a classroom teacher in the faculty of education. That's 16 of 31 right there and that's a majority of classroom teachers as indicated by the federation. We also heard from the supervisory people, who told us that their representative, while not a classroom teacher, would in all likelihood have experience in the classroom. This means that of 31 representatives, 17 would be, by and large, classroom teachers.

What's really being proposed here, to put it bluntly and get right to the chase, is that this amendment, if passed, would give the federations the majority of members of the council.

I'm surprised that the third party is taking the position they have. I remind them that their House leader, Mr Cooke, indicated in the Legislature that the implementation committee that was set up by the third party indicated that the federations should not have control of the college. His words were, "Let's not play politics; let's get on with it," and that's what I suggest we do.

The BC College of Teachers indicated that when they set up their college, the federations there ran candidates in the college elections. That's what would happen here, and inevitably they would then get control.

Dealing with the aboriginal points on subsection (c), I note that it would really give a veto to the Aboriginal Education Council of a candidate before a single vote had ever been entered. I question whether that's democracy. It's not necessary in any event, because the implementation committee, which was set up by the third party, has recommended, and I can tell you that the minister will

follow through with this, that one of the appointed people be an aboriginal candidate. That addresses that concern, in any event.

**Mr Chris Stockwell (Etobicoke West):** I'm not part of the committee, but that's never stopped me before from offering my opinion.

**Mr Wildman:** You're welcome any time.

**Mr Stockwell:** Thank you. I suppose there are arguments the government is making, and my friend Mr Skarica, the member for Wentworth North, makes some superb arguments with respect to the makeup of this particular college, but in my opinion it comes back to a fundamental difference of opinion that I have with those in the Ministry of Education and Training. I'm coming from the municipal level. I've always felt a little ticked off that those who pay the piper don't necessarily call the tune.

The previous governments had opportunities to rectify what I consider to be a very unfair situation with respect to police services boards. In Metropolitan Toronto we have a seven-member board: Three are appointed by Metropolitan Toronto council and four by the provincial government, but 95% of the bill is paid by Metropolitan Toronto council. We have three people, a minority, paying 95% of the bill, listening to four people, the majority, who pay 5% of the bill. I don't think that augurs well for decision-making and processes that are put in place for people who are making the decisions to understand the ramifications of certain financial constraints etc.

It seems to me, when I've reviewed this particular approach to the college in other professions, there's a very clear delineation between who is a member and who is not a member, what constitutes a majority and what does not constitute a majority, and they've come to the conclusion that those people who are vested with responsibilities on these colleges are members without much debate, I would say categorically without any debate.

There could be some argument made with respect to hijacking or usurping this agency by some faction within the teaching profession. If that is to be the case, I suppose we'll have to allow that to happen before we can react. You must give people who pay the piper and are charged with the responsibility of disciplining and those other important factors the opportunity to prove they're not capable of doing it before you can claim they're not capable of doing it.

Therefore, I've fallen off the table with respect to the government in this particular bill, specifically in that I don't think the bill is bad and I don't think the legislation is bad. I think it's probably good. It's more than that: It is good. I have some real concerns with respect to this specific clause and this specific amendment and I would be dishonest with myself if I didn't register these concerns publicly.

I think teachers hold a very, very coddled place in our society in a lot of ways. They have probably one of the better jobs in the province a lot of the time. Yes, it can be a difficult job, but considering their pension, their pay and their position, most of my constituents think it's a fairly good job.

Now we're going to try and adjust this and change the rules to some degree to have them govern themselves and keep teachers out of the classroom who should not be in the classroom. Knowing the teachers I know, vested with that responsibility and given that responsibility, I think they will act in a prudent and fair fashion.

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I have difficulty supporting the legislation as drafted. I think the amendments are reasonable, and I think any government that drafts a piece of legislation, if it goes to committee, must be prepared to read and review all amendments and accept them or reject them based on their merit. Having read the amendments offered by the opposition parties, I reject 99.9% of them categorically. But, to my friends on this side of the room and my friends on that side of the room, you can't be wrong all the time, and I don't think you're wrong about this.

I would ask, in reviewing this, quietly, without confrontation—I don't believe, considering the history of these boards and colleges, that what teachers are asking is unreasonable. By offering and accepting this amendment, we will be showing that we trust their judgement and will vest them with that judgement. We always have the opportunity to say, "You screwed up, you messed up, you didn't handle this responsibility well, and we're going to take it back." But until they prove that, I'm not prepared to say, "You're not competent enough to govern your profession in the same way that other professionals govern theirs."

**Mrs Ecker:** I have learned in my brief political career here that preceding or succeeding Mr Stockwell is always a dangerous thing to do. I asked to speak because there were two things I wanted to clarify about my previous comments because I wasn't sure I had articulated them clearly.

First, when I was referring to the feedback I had had with teachers, I wasn't necessarily talking about the presentations that had come here; I was talking about a number of informal discussions and meetings I had subsequent to that to try and look for ways to come up with a compromise.

Second, I didn't hear all of Ms Boyd's comments, but the point I was trying to make when I referred to the College of Physicians and Surgeons was that the faculty reps, regardless of whether they were part-time or full-time or whether they practised, were considered to be part of the majority representation by physicians in the field, so those faculty-appointed members—there used to be five, and under the RHPA it came down to three—were considered acceptable and members of the profession and were trusted to accurately represent the views and whatever.

If we didn't trust teachers to be self-regulating, we wouldn't be bringing forward a College of Teachers. That is an important point that needs to be made. That's why we have I think appropriate representation on the council and that's why there's a majority representation on the committees of teachers, to make sure there is an appropriate mix.

But what's important to remember is that the College of Teachers is not a body that is "representing the

interests of teachers." The people who are elected or appointed to that council are not there as representatives of their constituencies, like we are; they are there to speak on behalf of those groups in the public interest. I think that is a very different kind of role, and there's no question that it is a new kind of role for teachers as a profession to be wrestling with. It is different and it is a different kind of step.

As I said previously, if I thought some of the changes within that 17—I asked the question, "Would this be of assistance, if we were to make those revisions?" and I was told no, that that sort of smaller change was not going to work, that there had to be more significant change that reduced public members; I can only go by what I was personally told.

I am concerned, as I said, about the support for teachers on this, but we have to be seen to be credible with the other side of the equation, if you will: the public, the other stakeholders who are in this mix. It's a very delicate balance, a very difficult challenge, but I think we have to proceed from where we are and let teachers proceed with this.

**Mr Bruce Smith (Middlesex):** My question is more of a technical nature, perhaps directed at counsel. I may be reading this incorrectly, but is there any contradiction between Mr Patten's motion and what the committee has resolved with respect to section 4? I recognize that section 4 dealt with composition of council and the motion deals with representation on council, but does it create a contradiction between those two sections, in your opinion?

**Ms Leitman:** It's tight. I don't know that I'd go so far as to say it's a contradiction. You've got a council of 31 people; 17 of them are elected, and 16 is a majority on council. Clause (a) is saying you've got to have 16 of your 17 elected members be board employees, so it's very tight. Your 17 comes under (b), so I think you'd have to interpret (c) as saying that one person whose candidacy has been approved by the Aboriginal Education Council would probably also have to qualify under (a) and be a board employee.

**Mr Patten:** That's correct.

**Ms Leitman:** There's no contradiction, but it's a complete, full take on how those 17 will be allocated.

**Mr Patten:** Mr Stockwell, I appreciate your comments. I'd like to underline one thing you said, that you don't engender trust without trusting. Janet, you made that point too, that it's important that you trust teachers. A lot of it is perception too. Personally, I guess because I'm critic for my caucus, I've had overwhelming representation from individual teachers, letters etc, saying they are not in the majority. You see, doctors and lawyers are self-employed people, so it's a bit of—

**Mrs Ecker:** Nurses aren't.

**Mr Boyd:** Sometimes they are.

**The Vice-Chair:** Just a minute now. We're dealing with teachers.

**Mr Patten:** Anyway, when we say these are employed individuals who are practising professionals—and I suppose that's the way it's perceived by the teachers. This acknowledges the private school section which, rightly so, are not members of the federation as such.



The question of hijacking: This was a big concern in BC, and as we heard, it didn't turn out to be that way. As Mr Stockwell said, the minister has the opportunity to pull back something, redirect or instruct the council if something goes awry and it's not working out in terms of the intents or the objects of the college. But I truly believe that if you give a professional body self-regulating opportunity, they will respond truly responsibly, that they would not want to be seen as just being manipulated by their federations per se. This is a completely different set of responsibilities and I believe they will take that seriously. That can be said about most things that are created, of course, that there is a degree of trust you have to have.

I believe this particular issue will affect how teachers perceive the college. If they don't feel they have a majority—which the classroom teachers don't have right now. By the way, in terms of classroom teachers in the faculties of education, yes, they're a classroom teacher, though at a university level, training teachers. It's not quite the same. They're not really teachers in the elementary or secondary school systems.

Unless other people have comments, I would like to ask if we might proceed with a split vote, if that would be useful.

**The Vice-Chair:** I've got three more speakers before that.

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**Mr Wildman:** Just to correct the record, in response to Mr Carroll, I think he was guilty of what my first-year university philosophy professor, dealing with logic, called undistributed middle. Just because 200,000 people in the province have teaching certificates and there are 150,000 practising classroom teachers who are members of the federation doesn't mean the other 50,000 are practising classroom teachers.

**Mr Carroll:** I didn't say that.

**Mr Wildman:** The fact is, a large number of people hold certificates in the province who do not teach. Some of them are supervisory people in boards and many of them have entered other professions but still hold teaching certificates. For anyone who teaches in a separate school or a public school in Ontario, the Education Act requires them to be members of an affiliate of OTF. If they're in the classroom in those schools, they are members of a teachers' federation. It is true that those who teach in the so-called independent school system or the private school system hold teaching certificates and are not members of those federations, but that is dealt with in the (b) section of this proposed amendment.

In response to what was stated about the BC college by Mr Skarica, let's keep in mind that the BC college has a very different distribution of appointed and elected members, and even in that experience, according to the presentation made by telephone by the members of the BC college to this committee, they did not indicate that the "federations had taken over" the BC college. They contradicted that.

I want to make one other point. It has been said a number of times by various members of the committee and by some who made presentations to the committee that teachers do not speak in the public interest when it

comes to education issues, or at least that it would be a new role for them to do so. Frankly, I find that offensive.

The fact is that the majority of teachers are in education because they like kids and care about kids and are interested in education and interested in serving the community. When they see issues that affect the education of kids in the province adversely, they speak out. They don't just speak in their own interest; obviously, they do that as well, but they also speak in the public interest, so I don't believe this is asking teachers to take on a new role at all. I think it is just too expand the role they've played historically in this province.

**Mr Ted Arnott (Wellington):** While I don't have a vote in this committee, unfortunately, because of the rules, I do have an opportunity to speak.

**The Vice-Chair:** It's getting awfully crowded at that end of the room. Do you want to move over here?

**Mr Arnott:** I want to indicate unqualified support for this amendment brought forward by the Liberal Party. It's something I have been putting forward to the government for quite some time, for some months now: the concept that a College of Teachers is supportable in principle but that the governing council should be controlled by active classroom teachers. Clearly, a majority of the positions on that governing council ought to be held by active classroom teachers.

There are a couple of reasons. I've always felt that if the effort behind the government's policy is to enhance the professional status of teachers by creating this self-governing college, if our objective is to improve educational outcomes, the College of Teachers is worthwhile looking at. But it's my concern and my belief, talking to the teachers in Wellington county, that they see this college as it's presently structured to be designed primarily as a regulatory body and not necessarily to enhance their professional status. You check any other profession's governing college and you find that a majority of the seats on those governing councils are held by active members of those professions, so I encourage all members of this committee to support this very thoughtful and I think constructive amendment.

**Mrs Boyd:** One of the things I would like to take issue with Mrs Ecker on is that all of us talk to people outside of the committee and all of us get views from people, but in front of this committee, on the record, we didn't hear any of the groups coming in front of us saying they wanted less public representation. That was not the issue. The issue was around classroom teachers being the majority on the committee, not that there be lessened public input.

It may well be that privately some teachers somewhere in the province have expressed that concern, but that oughtn't to be a swaying factor in terms of what this committee considers. Certainly the official kinds of representations we had were all about the majority being classroom teachers, not about the public having a lesser role. I think it's really important for us to recognize that this is a democratic process which gives an opportunity to large numbers of people to come in front of us and express those views, and those views about public representation being less were not expressed here. What

was expressed was that the majority on the college needed to be active classroom teachers.

Mr Arnott is quite right that unfortunately this has taken on a vision of just a regulatory committee and the discipline part of it was always a minor part of it. The main focus of this whole teachers' college was the enhancement of the profession, the enhancement of professional development, control over professional development by classroom teachers, the improvement from a self-governing point of view of going forward in terms of improving the capacity of teachers to adjust to new methods and new times and to ensure that the college was very, very active in enhancing the role of professional teachers; the regulatory function being there but not being the primary function of this college. Unfortunately, because of this controversy around active classroom teachers, the regulatory function has taken on this huge proportion. I think that is very unfortunate indeed.

**The Vice-Chair:** I've got no further speakers.

**Mr Agostino:** A recorded vote, Mr Chairman, please.

**The Vice-Chair:** First of all, there was a request to split the amendments. Is there unanimous consent on that? Yes.

**Mr Wildman:** Splitting (c) off.

**The Vice-Chair:** Okay. The first part that we'll deal with is (a) and (b), and a recorded vote is requested.

All those in favour of amendments (4)(a) and (b)?

#### Ayes

Agostino, Boyd, Miclash, Patten, Wildman.

#### Nays

Carroll, Ecker, Froese, Pettit, Ross, Skarica, Smith.

**The Vice-Chair:** That's lost.

Dealing with clause (c), all those in favour? Was your request for a recorded vote on this one?

**Mr Agostino:** Recorded vote.

#### Ayes

Agostino, Boyd, Miclash, Patten, Wildman.

#### Nays

Carroll, Ecker, Froese, Pettit, Ross, Skarica, Smith.

**The Vice-Chair:** I declare the amendment lost.

Shall section 37, as amended, carry?

**Mr Agostino:** Recorded vote on that one as well.

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#### Ayes

Carroll, Ecker, Froese, Pettit, Ross, Skarica, Smith.

#### Nays

Agostino, Boyd, Miclash, Patten, Wildman.

**The Vice-Chair:** Carried.

Section 38. Mr Patten?

**Mr Patten:** This one is not applicable any longer. I withdraw it.

**The Vice-Chair:** There's another amendment. I've got one here and there's another amendment.

**Mr Skarica:** The government moves that paragraph 20 of subsection 38(1) of the bill be amended by adding "other than those required by this act" at the end.

This is complementary to the change agreed to yesterday to add 9.1 to section 37(1), which actually was a Liberal amendment, I believe.

**The Vice-Chair:** Is it agreed? That's okay.

Shall section 38, as amended, carry? Carried.

Section 39. Mr Wildman?

**Mr Wildman:** I have an addition to it. Do you want to carry the clause before we deal with—

**The Vice-Chair:** Shall section 39, as printed, carry? Carried.

Mr Wildman?

**Mr Wildman:** I move that subsection 39(1)—

**Clerk of the Committee (Lynn Mellor):** One second.

**Mr Wildman:** One second? What's the problem?

**Clerk of the Committee:** There's a government motion 39(2).

**Mr Skarica:** The government moves that subsection 39(2) of the bill be amended by striking out "clause (1)(d)" in the second line and substituting "clause (1)(c) or (d)."

It's a housekeeping matter, I believe.

**The Vice-Chair:** Shall that carry?

**Mr Patten:** Subsection 39(2)?

**The Vice-Chair:** This is 39(2).

**Mrs Boyd:** Subsection 39(1) goes first.

**The Vice-Chair:** Yes, I'm sorry. You're correct. Mr Wildman had the floor with 39(1)(b.1), and then we'll deal with 39(2).

**Mr Wildman:** I move that subsection 39(1) be amended by adding the following clause:

"(b.1) prescribing purposes for the purposes of clause 45.1(a)."

If you look at 45.1(a), if I can find it—just a minute—it says:

"Every person engaged in the administration of this act, including any person appointed under section 33, shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties and shall not communicate any of those matters to any other person except,

"(a) as may be required in connection with the administration of this act and the regulations and by-laws or any proceeding under this act or the regulations or by-laws."

Basically, I want to ensure that we know the purpose of the secrecy.

**The Vice-Chair:** Any comments?

**Mr Skarica:** The FOI act doesn't apply to this act, as I understand it, and it's not necessary for this amendment.

**The Vice-Chair:** Any further comments?

**Mr Wildman:** We've had that debate already, I guess, and we lost in trying to ensure that the FOI act did apply to this. Have we not had that discussion yet? That's what it's about. I want the FOI act to apply.

**Mrs Boyd:** It doesn't until 45.

**The Vice-Chair:** Any further comments?

**Mr Wildman:** We should stand this down, I guess, until we get to 45.



**The Vice-Chair:** Is it agreed that this stand down until we get to 45? Agreed. It's stood down.

Now dealing with subsection 39(2). Any comments? Is that agreed? Agreed.

Shall section 39—

**Clerk of the Committee:** No, because you've postponed subsection 39(1).

**The Vice-Chair:** Okay, right. We'll deal with 39 later. Section 40.

**Mr Skarica:** The government moves that subsection 40(1) of the bill be amended by inserting "made under any provision of this act" after "regulation or bylaw."

**The Vice-Chair:** Any comments by anyone?

**Mr Skarica:** It's a housekeeping matter, again.

**The Vice-Chair:** Is it agreed? Agreed. Shall section 40, as amended, carry? Carried.

Section 41.

**Mr Wildman:** It's an addition, so I don't know whether you want to deal with the government amendment first.

**The Vice-Chair:** Yes, because yours is a new section, 41.1.

**Mr Skarica:** The government moves that section 41 of the bill be amended by adding the following subsection: "Definition

"(4) In this section, 'dealings' means any service or procedure available to the public or to members of the college and includes giving or receiving communications, information or notices, making applications, taking examinations or tests and participating in programs or in hearings or reviews."

**Mr Wildman:** Sorry, Mr Chair, I don't seem to have this copy.

**Mr Skarica:** Yes, I didn't have it either.

**Mrs Ecker:** It was handed out today in—

**Clerk of the Committee:** I thought we handed it out today in one of the packages. It might be a little bit further down on your package, down with 44.

**The Vice-Chair:** Yes, it is. It's about four pages in with the government motions. It follows, I believe, subsection 44(3). The next page is 41(4).

**Mr Wildman:** I've got it. It was just out of order.

**The Vice-Chair:** It's been moved. Are there any comments with respect to it?

**Mrs Boyd:** Can I just ask the parliamentary assistant to explain what the purpose of this amendment is.

**Mr Skarica:** I just asked the same thing. I've read it out and it brings the Ontario College of Teachers into line with other professional self-regulatory bodies.

**The Vice-Chair:** Are you satisfied with the explanation?

**Mr Skarica:** It means "dealings" is the same definition as in the other bodies.

**The Vice-Chair:** Shall the amendment carry? Carried. Shall the section, as amended, carry? Carried.

Now then, 41.1, Mr Wildman.

**Mr Wildman:** I move that the bill be amended by adding the following section:

"Right to representation

"41.1 A member of the college who is a party to a proceeding of a committee of the college has the right to be represented by counsel or an agent."

I think this is pretty straightforward. We're saying that if a member of the college is a party to any proceeding, they should have the right to be represented either by legal counsel or another agent of the member of the college's choosing. It just seems pretty straightforward. In most proceedings of certainly any disciplinary sort or investigative sort in Ontario, an individual has the right to representation and I would hope that there would be no argument with this.

**Mr Miclash:** We will certainly be supporting the amendment. I think it's a very important amendment. As Mr Wildman has indicated, it's very straightforward and I see no problem with this amendment.

**Mr Skarica:** Obviously I don't have any problem with it in principle. It's not necessary in that the Statutory Powers Procedure Act already gives everyone in the province a right to counsel under these circumstances.

**Mrs Boyd:** One of the criticisms we heard, though, from teachers around this was a perceived lack of due process. If in fact this does not change what will actually proceed in front of this, I think in terms of trying to reassure people around what they saw as lack of due process, this would go a long way to building more confidence in the activity. Everyone is not familiar with the Statutory Powers Procedure Act.

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**Mr Skarica:** As well, there's a drafting problem. "Proceedings not defined," what exactly does that mean? "Committee of the college," is that a legislative committee or is that one of the various committees that is going to be set up?

**Mr Wildman:** I'd be quite happy to have it drafted more precisely to satisfy the concerns of the parliamentary assistant. If he's offering to do so, I'd be quite pleased to have a friendly amendment.

**Mrs Ecker:** I appreciate the point the NDP is trying to make, but I think the Statutory Powers Procedure Act, which if I recall correctly your government had amended to try to make sure that there were proper procedures—I think we have covered that. That legislation is there, it protects the rights of teachers, and I don't think we should be writing legislation that is redundant with other legislation. As I'm sure Ms Boyd knows from her time in the legal portfolio in the government, you can get into a lot of unintended problems when you start to do that.

The right to be represented by counsel is extremely important. It is there, it is in the Statutory Powers Procedure Act, and I think you can say with great emphasis to teachers that they do have that right, as they should have that right.

**Mrs Boyd:** It can also be removed from the Statutory Powers Procedure Act. This government has removed a lot of rights from workers in the province, so you can imagine there is a certain feeling that an added protection here, given the controversy around this particular act, will be very much appreciated by the teachers.

**Mrs Ecker:** I would strongly reject Ms Boyd's implication that we would interfere with the right of teachers in a college to be represented by counsel. That is very irresponsible.

**Mr Wildman:** I'm just remembering what happened to Bill 40.

**The Vice-Chair:** Did you request that this matter be stood down earlier?

**Mr Wildman:** Oh, no. I was requesting Mr Skarica to give me a friendly amendment to deal with his concerns.

**The Vice-Chair:** Any further comments then on this amendment? If not, does it carry? All those in favour of the amendment? Opposed? The amendment is lost.

Section 42, there are no amendments to it. Shall section 42 carry? Carried.

Shall section 43 carry? Carried.

Section 44.

**Mr Wildman:** I move that subsection 44(1) of the bill be amended by striking out "including" in the sixth line and substituting "excluding."

**The Vice-Chair:** Any comments?

**Mr Skarica:** If that were to be done, the college would be unable to obtain information that would be required for it to carry out its objects.

**Mr Wildman:** I think he was asking for my comments, Mr Skarica.

**Mr Skarica:** Well, would you like to give your comments now?

**Mr Wildman:** It's clear what we're attempting to do. Mr Skarica has perhaps given an extreme interpretation of it. The clause as worded now says that the college may require a school board, for instance, or other designated body "to provide the college with information, including personal information within the meaning of section 38 of the Freedom of Information and Protection of Privacy Act or section 28 of the Municipal Freedom of Information and Protection of Privacy Act, in respect of members of the college."

I don't agree with Mr Skarica's view that it would mean the college couldn't get any information. What it deals with specifically is personal information, and this is an attempt to protect the personal privacy of members of the college.

**The Vice-Chair:** Any further comments? You've already stated your comments, Mr Skarica? Okay.

Shall the amendment carry? Opposed? The amendment's lost.

Any further amendments?

**Mr Patten:** I'll withdraw.

**The Vice-Chair:** Okay, 44(3) is withdrawn.

**Mr Wildman:** Mr Chair, I withdraw this amendment because it was in line with the other amendments that would have brought in the British Columbia model, and since the government chose to defeat that proposal, this amendment now does not—

**The Vice-Chair:** And those were amendments with respect to 44(3), (3.1), (3.2) and (3.3)?

**Mr Wildman:** Yes.

**The Vice-Chair:** What about the next amendment then, 44(5)?

**Mr Wildman:** Has 41(4) been dropped?

**Interjection:** Subsection 44(5).

**Mr Wildman:** Yes, 44(5), I want to put that amendment.

I move that subsection 44(5) of the bill be struck out.

Basically, this is to ensure that the Freedom of Information and Protection of Privacy Act applies, that this bill does not override that other piece of legislation. It's

pretty clear that that was one of the main concerns representatives of the teaching profession who appeared before the committee had about the legislation, and it's a matter that was of significant importance to them. For that reason, I would hope the members of the committee would ensure that piece of legislation should apply.

As Mr Wright indicated when he appeared before the committee, he had made recommendations to the government for changes. Some of his concerns had been dealt with and he didn't think there needed to be all of the changes he had proposed, but he felt there was a need to ensure that the legislation applied. At the time he appeared before the committee, he said he had not yet received a response from the government to his proposals, and so as a result of that we are here encouraging the members of the committee to support this amendment so the Freedom of Information and Protection of Privacy Act will in fact apply to members of the college.

**Mr Skarica:** The government's response is that the college will require information on who is qualified to teach in the province and what qualifications they have obtained. If this section were removed, the minister would be prevented from transferring information relevant to the college's responsibilities to the college. For instance, the minister is at present custodian of the qualification records of all Ontario teachers. In order to function, the college will require ministry records concerning the investigation and discipline of teachers.

**Mr Wildman:** If I could respond, let's not be precious about this. We're not here trying to prevent the college from finding out if an individual has a teaching certificate. What we're attempting to do is to prevent the college from delving into the private lives of members of the college and getting information that is not particularly relevant and would be an invasion of privacy. Surely, the intellects around the Ministry of Education and Training, the legal minds we have that have come up with this almost perfect piece of legislation, will be able to come up with some way of devising a process where the minister will be able to transfer information about a teaching certificate to the college without invading the privacy of members of the college.

**Mrs Boyd:** I'd like some clarification then, perhaps from the legal minds, as my colleague puts it. My understanding would be that if there's a request made, there's nothing to prevent the ministry from sharing that information. One is assuming that the minister would refuse to share that information, and that's ridiculous.

**The Vice-Chair:** Okay. Any further comments?

**Mr Wildman:** Just as a matter of clarification, I want to ensure that everyone, for the sake of the record, knows that my tongue was firmly in my cheek when I described this as almost perfect legislation.

**Mrs Ecker:** That's too bad. I've written down the quote.

**Mr Carroll:** We realize that.

**The Vice-Chair:** For those of us who were able to observe you, we noticed that.

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**Mr Skarica:** I have just one comment. The college has to—it has to be information for the purpose of carrying out its objects.



**The Vice-Chair:** Any further comments with respect to this amendment? If not, shall the amendment carry? All those in favour of the amendment? Opposed? The amendment is lost.

Any further amendments?

**Mr Wildman:** I have a similar amendment to subsection 44(6). I move that subsection 44(6) of the bill be struck out. They're all the same arguments.

**The Vice-Chair:** All right. Any further comments?

**Mr Wildman:** Again, I don't think the government should require the college to have personal information. This is, after all, supposed to be a self-regulating body.

**The Vice-Chair:** Okay, shall the amendment to subsection 44(6) carry? All in favour? Opposed? The amendment is lost.

Any further amendments to section 44?

Shall section 44, as printed, carry? All those in favour of section 44 carrying, raise your hands. Opposed? That's carried.

Section 45: Mr Wildman?

**Mr Wildman:** Yes, I have an amendment.

**The Vice-Chair:** That's section 45.1, so that's a new section.

**Mr Wildman:** It's an addition, yes.

**The Vice-Chair:** Okay. Shall section 45, as printed, carry? Carried.

Section 45.1:

**Mr Wildman:** I move that the bill be amended by adding the following section:

"Personal information

"45.1 Before disclosing personal information, within the meaning of section 38 of the Freedom of Information and Protection of Privacy Act, obtained under this act, the person who obtained the information shall delete from it all names and identifying numbers, symbols or other particulars assigned to individuals unless,

"(a) disclosure of the names or other identifying information is necessary for the administration of the act or for a prescribed purpose; or

"(b) disclosure of the names or other identifying information is otherwise authorized under the Freedom of Information and Protection of Privacy Act."

The reason for this is, in light of the fact that the government has voted down the two previous amendments, we are attempting to protect personal information. We recognize that personal information for some particular purposes might be required, but in providing that information we would like the principles under the Freedom of Information and Protection of Privacy Act followed under this act.

**Mr Skarica:** The confidentiality sections in the legislation are already very strong, and the government feels this is not necessary.

**The Vice-Chair:** Any further comments? Hearing none, shall the amendment carry? All those in favour? Opposed? The amendment is lost.

Getting back to section 39, then, we did have the four amendments, or a number of amendments, there. There's one outstanding. Are you withdrawing that, Mr Wildman?

**Mr Wildman:** Yes.

**The Vice-Chair:** Okay, so that's withdrawn.

Shall section 39, as amended, carry? Carried.

Section 46: Shall section 46 carry? Carried.

Section 47? Carried.

Section 48? Carried.

Section 49? Carried.

Section 50? Carried.

Section 51? Carried.

Section 52? Carried.

Section 53. There's an amendment. We try to be fair to all sides.

**Mr Wildman:** I move that subsection 53(2) of the bill be struck out.

If you look at the section it says, "A payment for the purpose of the Ontario teaching council implementation committee established by order in council to advise the minister in respect of the establishment and mandate of the college is a payment for the purpose of establishing the college within the meaning of subsection (1)."

The import of this is that it means that the teachers are going to have to pay for all of the work that the implementation committee has done. To say the least, this is a bit onerous. Some teachers have objected to the annual fee that they are going to have to pay to be members of the college, that's one matter, and that fee will be used for the ongoing operations of the college. But to say that in addition to that, the teachers should have to pay for all the work the implementation committee—

**Mrs Boyd:** It's insult to injury.

**Mr Wildman:** Yes, as my colleague says, it's adding insult to injury. For one thing, we don't know how much money the implementation committee has spent. There have been some estimates that have said it's as much as \$1 million. Surely this is a piece of government legislation that was an initiative of the previous government and has been carried through by this government. Surely that is something that should be paid for by the government, by the taxpayers of the province.

The ongoing operation of the college, it can be argued, should be paid for by the members of the self-governing college, but surely not the work of the implementation committee in doing the consultations in preparing this legislation. That is a government activity and should be paid for as normal government activities would be paid for. It really is very onerous to require teachers to somehow come up with this, particularly since at this point we have no idea how much that total bill might be.

**Mr Patten:** I would just support this as well. It's moving forward in a manner which isn't even supported by the profession and then they get dinged with the bill without having the responsibilities to set up the college itself. I think it's quite an insult to any group to charge them with the costs of the implementation.

**Mr Micalash:** I would just like to repeat something that I said a number of times during the committee hearings and something we heard from a good number of presenters as well to the committee, that teachers are certainly upset with not only the fee but now an additional burden in terms of the cost. As Mr Wildman has indicated, this is certainly a government activity and one that the government should be responsible for.

**The Vice-Chair:** Any further comments?

**Mr Wildman:** I was just going to ask for the question, Mr Chair, and a recorded vote.

**Ayes**

Agostino, Boyd, Miclash, Patten, Wildman.

**Nays**

Carroll, Ecker, Froese, Pettit, Ross, Skarica, Smith.

**The Vice-Chair:** The amendment's lost. Any further comments with respect to section 53? Shall section 53 carry? All those in favour? All those opposed? Carried.

Shall section 54 carry? Carried.

Shall section 55, as printed, carry? Carried.

Now section 55.1, an amendment.

**1200**

**Mr Wildman:** I move that the bill be amended by adding the following section:

"Safety not to be jeopardized by disclosure

"55.1(1) Despite any requirement in this act that the college or a committee or official of the college disclose information to a person who is the subject of a proceeding under this act, the college, committee or official may refuse to disclose the information where, in its opinion, to do so may jeopardize the safety of a person.

"Copies of documents

"55.2 (1) Where a person who is the subject of a proceeding under this act requests copies of documents that he or she is entitled under this act to examine, the registrar shall provide the copies.

"Reasonable charge

"(2) The registrar may charge a reasonable fee for copies provided under this section."

I think in the interests of time, it's pretty straightforward. I don't think I need to make any comments.

**The Vice-Chair:** Any comments? All those in favour of the amendment? Opposed? That's lost.

Section 56: There's an amendment to it. It was distributed this morning.

**Mr Skarica:** The government moves that subsection 56(1) of the bill be struck out and the following substituted:

"Copies of regulations, by-laws by registrar

"(10) Subsections 37(2) and (3) and subsections 38(4) and (5) apply, with necessary modifications, to regulations and by-laws made by the registrar under this section and, for the purpose, the registrar has the duties of the council.

"Copies of regulations, by-laws made by Lieutenant Governor in Council

"(10.1) The registrar shall ensure that a copy of each regulation and by-law made by the Lieutenant Governor in Council under this section is available for public inspection in the office of the college and shall provide to any person, on payment of a reasonable charge, a copy of any regulation or by-law made by the Lieutenant Governor in Council under this section."

This amendment is to complement the change made to clause 12(1)(c) where a motion was passed to remove the ability of the minister to require the council to make, amend or revoke a bylaw.

**Mr Wildman:** Could you clarify for me what is the difference under "copies of regulations, by-laws by registrar"? I understand the (10.1), but the (10) I don't quite see the difference here, and I may be missing something.

**Mr Skarica:** Maybe somebody else could address that.

**Mrs Anu Church:** Section 56, as currently drafted, enables the registrar during the interim or transitional period to do anything that the council can do when it is elected, including regulations and bylaws. There is also a provision saying that the minister can review what the registrar has done and require the registrar to make, amend or revoke a regulation or bylaw.

This provision simply provides that where the minister takes that action or where the registrar acts on her own behalf, copies of the regulations or bylaws made are to be made available for public inspection and available on a charge.

**Mr Wildman:** That's (10.1). I was asking about (10). I understand why you've got (10.1) in there. I don't want to prolong this. I just don't see the difference here between what's in the bill and what's being proposed. It refers to different subsections.

**Mrs Church:** That's right. Sections 37 and 32 of the bill require the council to ensure that copies of regulations made by them are available for public inspection, and also that the registrar make those available on payment of a reasonable charge. We're saying that those provisions apply with necessary modifications to this section when the registrar makes the regulation or bylaw.

**Mr Wildman:** All right. Thank you.

**The Vice-Chair:** Are there any further comments?

Shall the amendment carry? Carried.

Shall section 56, as amended, carry? Carried.

Shall section 57, as printed, carry? Carried.

**Mr Skarica:** The government moves that the bill be amended by adding the following section:

"Transition: elected council members

"57.1 Persons elected to the first council in the election referred to in clause 39(1)(c) shall be deemed, for the purposes of this act, to have been elected to the council by the members of the college under clause 4(2)(a).

**The Vice-Chair:** Shall the amendment carry? Carried. Section 58; Mr Skarica.

**Mr Skarica:** The government moves that subsection 58(6) of the bill be amended by striking out "and section 40."

**The Vice-Chair:** Any comments? That was deleted earlier.

Shall the amendment carry? Carried.

Shall the section, as amended, carry? Carried.

Section 59.

**Mr Skarica:** The government moves that subsection 59(3) of the bill be amended by striking out "and section 40."

**The Vice-Chair:** Shall the amendment carry? Carried. Shall the section, as amended, carry? Carried.

Shall section 60 carry? Carried.

Shall section 61 carry? Carried.

Shall section 62 carry? Carried.

Shall section 63 carry? Carried.

Shall section 64 carry? Carried.

Section 65; Mr Skarica.

**Mr Skarica:** The government moves that the bill be amended by striking out "Ontario College of Teachers Act, 1995" wherever it appears and substituting in each case "Ontario College of Teachers Act, 1996."



**The Vice-Chair:** Shall it carry? Carried.

Shall the title carry? Carried.

Shall the bill, as amended, carry? All those in favour that the bill, as amended, be carried? Opposed?

Shall I be ordered to report Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes, to the House, as amended?

**Mr Skarica:** We'd like it done with Bill 30. That was the agreement, that we do the two of them together.

**The Vice-Chair:** Do you want to postpone reporting then, or is there unanimous consent that Bill 31 be reported?

**Mr Wildman:** Mr Skarica made the point that we haven't dealt with Bill 30 and we were supposed to deal with both of them together.

**The Vice-Chair:** So there's no unanimous consent then that the bill be reported without Bill 30? It's my understanding that there's no order with respect to the clause-by-clause relating to both of these bills. Our time has now expired with respect to same so that the matter really has to be referred back to the House leaders, the way I understand it, as to how the clause-by-clause in Bill 30 is to be dealt with.

Is it your wish that Bill 31 be reported to the House, as amended? Is there anyone opposed to that? No, okay. So Bill 31 will be reported to the House.

**Mr Skarica:** I'm getting a nod from the House leader's office that they would like—

*Interjections.*

**The Vice-Chair:** Bill 30 hasn't been dealt with on a clause-by-clause basis, so that has to be reported to the House leaders and they can make whatever arrangements they wish with respect to the clause-by-clause deliberations on that.

**Mr Wildman:** Mr Chair, you will recall at the beginning of this process I raised this problem and asked what would happen if we hadn't covered all of it at the end. At that time, we were told we would deal with it at the end. So here we are.

**The Vice-Chair:** And so here we are. We're dealing with it. There has not been any agreement reached between the House leaders as to what would happen if all the clause-by-clause work had not been done. All we can do, in my opinion, is simply report it back to the House leaders that Bill 31 has been dealt with on a clause-by-clause basis and Bill 30 has not and the House leaders have to decide how to proceed with that.

**Mr Wildman:** The reason I raised this at the beginning, Mr Chair, was that we didn't have an order from the House leaders that said that if we didn't deal with it all by the end of our time, we would deem all matters to have been dealt with. That was not part of the order.

**The Vice-Chair:** Exactly.

**Mr Wildman:** I raised this at the time, and I suppose we might have made a unanimous agreement at that time. I don't know that we would have, but it's possible that we might have made an unanimous agreement that we would deem things to have been done. I don't like that process, so I doubt I would have agreed to it. But in the absence of an order from the House leader and unanimous agreement it seems to me the only thing you can do is be requested by the committee to report Bill 31, as amended, and we have to let the House leaders know that Bill 30 hasn't been dealt with.

**Mr Patten:** I wonder if it's in order for the committee to request an hour, two hours, whatever it is, to go through Bill 30.

**Mrs Ecker:** My understanding, based on the advice from the House leaders, is that we would be prepared to not report Bill 31 back until we have finished with Bill 30.

**The Vice-Chair:** If that's the case then, all we can do is report to the House leaders that Bill 31 has been dealt with, Bill 30 has not been dealt with and they will have to allocate the proper amount of time to deal with 30. We can do that before we meet on Bill 34, which starts on Monday at 3:30, but that's really something for the House leaders to work out. As long as they don't call us back for the weekend, I think we could probably go along with—

**Mrs Ecker:** Don't tempt them.

**The Vice-Chair:** We'll just leave it at that for now?

**Mrs Ecker:** Just that the bill, as amended, carried and leave it there.

**The Vice-Chair:** This bill is amended and carried on a seven-to-four vote.

**Mrs Ecker:** It's carried but not reported.

**Mr Pettit:** Does that mean it will probably be tomorrow?

**The Vice-Chair:** We will have to talk to the House leaders.

This meeting is adjourned.

*The committee adjourned at 1214.*





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Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

### **Substitutions present / Membres remplaçants présents:**

Miclash, Frank (Kenora L) for Mr Gravelle

Ross, Lillian (Hamilton West / -Ouest PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

Boyd, Marion (London Centre / -Centre) for Mr Laughren

Froese, Tom (St Catharines-Brock PC) for Mr Newman

Carroll, Jack (Chatham-Kent PC) for Mr Preston

### **Also taking part / Autres participants et participantes:**

Arnott, Ted (Wellington PC)

Stockwell, Chris (Etobicoke West / -Ouest PC)

Ministry of Education and Training

Church, Anu, counsel, legal services branch

**Clerk / Greffière:** Lynn Mellor

**Staff / Personnel:** Marilyn Leitman, legislative counsel

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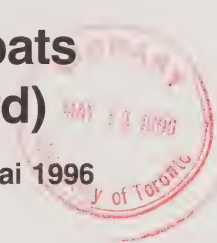
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# Journal des débats (Hansard)

Mercredi 2 mai 1996



## Standing committee on social development

## Comité permanent des affaires sociales

Education Quality and  
Accountability Office Act, 1995

Loi de 1995 sur l'Office de la qualité  
et de la responsabilité en éducation

Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Thursday 2 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mercredi 2 mai 1996

*The committee met at 1010 in room 151.*EDUCATION QUALITY AND  
ACCOUNTABILITY OFFICE ACT, 1995LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ  
ET DE LA RESPONSABILITÉ EN ÉDUCATION

Consideration of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

**The Acting Chair (Mr Floyd Laughren):** The committee will come to order. We are here to deal with clause-by-clause of Bill 30 and we'll start at the beginning, which is fairly normal on these occasions.

Are there any comments or amendments on section 1? Shall section 1 carry? Section 1 is carried.

Moving on to section 2, any comments on section 2? Shall section 2 carry? Carried it is.

Moving on to section 3, I think there's some action on section 3.

**Mr Richard Patten (Ottawa Centre):** I'd like to move that paragraph 1 of section 3 of the bill be amended by striking out "education" and substituting "programs."

It's more measurable and more specific to talk about the educational programs rather than just education amorously, the whole system as such. It seems to me we're talking about the programs we institute within the system. That's the rationale for it.

**Mr Toni Skarica (Wentworth North):** The background to these amendments from our analysis is that they're similar to the Ontario Teachers' Federation submissions, supported by the affiliated teachers' federations, that recommended the mandate of the EQAO be restricted to assessment of student achievement. The objects of the office, as outlined in section 3, provide for a much broader scope, including the evaluation of the quality and effectiveness of elementary and secondary education. In our analysis of the Liberal motions, this is an attempt to restrict the mandate of the EQAO. The restriction would significantly reduce the mandate of the legislation and of the agency.

The EQAO as an independent agency will implement Ontario's assessment program and provide a credible, objective picture about how Ontario's education system and students are doing, and that's the objective. The EQAO will make recommendations to the government on ways to improve the education system, enhance the

accountability of the system and support excellence in education. This scope of responsibility requires a broad mandate. This amendment would restrict that mandate in the government's submission.

**The Acting Chair:** So there.

**Mr Bud Wildman (Algoma):** In our view, the government's too sensitive. We support the amendment.

**The Acting Chair:** Any other comments on this? Are you ready for the question? All those in favour of Mr Patten's amendment, please indicate. Those opposed? The amendment is lost.

**Mr Patten:** I move that paragraph 3 of section 3 of the bill be struck out and the following substituted:

"3. To develop systems for the assessment of academic achievement in order to evaluate the quality and the effectiveness of elementary and secondary school programs."

**Mr Skarica:** This, as the previous amendment, would limit the mandate of the agency to the assessment of academic achievement and would result in a narrower base of information on which to make recommendations. The intent of the government is to examine broader indicators to determine areas that need improvement and identify areas of success in elementary and secondary education.

**Mr Patten:** I don't see how you can continue to evaluate just the system. At some point you've got to break it down into a specific thrust, a specific program, a specific initiative that's definable, measurable and quantifiable.

**The Acting Chair (Mr Joseph Cordiano):** Any further discussion or debate? Shall Mr Patten's amendment carry? All those in favour? All those opposed? The amendment is defeated.

**Mr Patten:** I move that paragraph 5 of section 3 of the bill be amended by adding "in relation to the assessment of academic achievement" after "boards" in the second line.

In other words, you're not evaluating boards per se. It's in relation to the information on strategies for improving. You're not evaluating the general public accountability of the board per se. It's just a qualifier.

**Mr Skarica:** The government feels that school boards should be accountable in areas beyond the assessment of academic achievement. Parents and taxpayers have indicated to us that they want a range of information about the value they are getting for their tax dollars.

**The Acting Chair:** Further debate? Shall Mr Patten's amendment carry? All those in favour? All those opposed? The amendment is defeated.

*Interjection.*

**Mr Patten:** Why don't we do that then?

**The Acting Chair:** No, I think we have to deal with each one separately.

**Mr Patten:** I have to go through this charade?

**The Acting Chair:** Yes, you have to go through this.

**Mr Patten:** I move that paragraph 6 of section 3 of the bill be struck out and the following substituted:

"6. To report to the public and to the Minister of Education and Training on,

"i. the results of tests,

"ii. the quality and effectiveness of elementary and secondary school programs, and

"iii. the public accountability of boards in relation to the assessment of academic achievement."

**Mr Skarica:** Perhaps I'll just indicate that my submission will be the same for the majority of the Liberal motions, that words such as "programs" and "assessment of academic achievement" narrow the mandate of the agency.

**The Acting Chair:** Any further discussion? Shall Mr Patten's motion carry? All those in favour? All those opposed? The motion is defeated.

1020

**Mr Patten:** Paragraph 7, forget it. If you don't accept the word "program," then it doesn't apply. I'll withdraw it.

I move that section 3 of the bill be amended by adding the following subsections:

"Pupil profiles

(2) In reporting on results of tests under paragraph 6 of subsection (1), the office shall provide profiles of the pupil populations tested and shall provide a breakdown of test results in relation to those profiles.

"School councils

"(3) The office shall ensure that Ontario school councils have access to information on test results and pupil profiles sufficient to enable the councils to assess the academic achievement and profiles of pupils in their schools in relation to the academic achievement and profiles of pupils elsewhere in Ontario.

"Identification of problems

"(4) Where the office identifies a problem in any aspect of test results or in any part of a pupil population, the office shall:

"(a) conduct further studies into the causes and nature of the problem; and

"(b) make recommendations for corrective measures to the appropriate authorities and to the Minister of Education and Training."

**Mr Wildman:** With regret, I don't support my friend's amendment, for a number of reasons. First, I think the office—which I think has support of all three parties, the proposal for the office—and its staff should be able to determine how they operate. If there is need for direction from the minister, I suppose that could be done by regulation. But I would hope they would have a pretty wide range in which they can operate. That's one reason.

The other reason is that I'm very concerned about the suggestion that school councils should be able to use the information to compare one school with another and the performance in one school with another or, for that matter, one board with another. That is not the purpose, as I understand it, of the office. The office is set up to try and deal with Ontario's success or failure in terms of

serving students and, recognizing that certain students in certain regions and certain socioeconomic or ethnic groups may have different needs, to serve those students in those ways. But it's not to enable parents or students to pick and choose one school over another, which is sometimes seen as the purpose of having universal testing. That's not the purpose of this operation at all. I'm worried that, on occasion, members of the media tend to use the information from tests in this way, and that is not the purpose. For that reason, I'm unfortunately unable to support this amendment.

**Mr Skarica:** In addition, subsection (3), among other concerns indicated by Mr Wildman, seems to infringe on the privacy rights of students. It would seem Ontario school councils could have access to any student information. The government has concerns regarding that type of invasion of students' privacy. Accordingly, the government as well is opposed to this amendment.

**Mr Patten:** I take those comments as valid. That certainly isn't the intent of this. The intent of this is to identify when we do comparisons, because comparisons are made, and it's not school by school. I would think school councils in a board would want to look at the nature of testing and who is being tested for what, so that if we're talking about, say, immersion students or students who are in ESL, English as a second language, there is some acknowledgement that that is what's being tested. It would not be fair, for example, to take the same test and ask a French immersion grade 3 student in English and then test them in comparison to English that's been full-time for a grade 3 youngster.

It's not to say whether somebody is black or blue; it's not to say whether somebody has pink eyes or white eyes or that kind of thing. The attempt is to understand the program that they're in so that you are comparing and making comparisons. Likewise, when you do a testing in French immersion, for example, there are some variables there that are very significant and important, and it can jeopardize the program if people don't have some understanding of who is part of the whole pool of the test. This was the intent of this.

**The Acting Chair:** Any further debate? Shall Mr Patten's amendment carry? Those in favour? Those opposed? The amendment is defeated.

Shall section 3 carry? Carried.

Subsection 4(1.1).

**Mr Skarica:** Could we defer this? The government has some privacy amendments in section 27, and perhaps after we deal with that we could return to this.

**Mr Wildman:** Okay. I have an amendment I want to move to 4(1)(b).

*Interjection.*

**Mr Wildman:** I didn't have the table, I'm sorry. I just have two small amendments I want to make. In light of the comment Mr Skarica just made, I'll stand down my amendment until we see that.

**The Acting Chair:** We'll postpone section 4. Moving on to section 5, Mr Patten, you have further amendments?

**Mr Patten:** No, it's a government motion.

**The Acting Chair:** Oh, I'm sorry. It's a government motion. Pardon me.

*Interjection.*

**Mr Skarica:** No, 27 is the privacy section.



The government moves that section 5 of the bill be struck out and the following substituted:

"Agreements re tests

"5. (1) The office may enter into agreements with a person operating,

"(a) a private school, as defined in section 1 of the Education Act;

"(b) a school provided by a band, the council of a band or an education authority where the band, the council of the band or the education authority is authorized by the crown in right of Canada to provide education for Indians; or

"(c) a school provided by the crown in right of Canada,

"about administering tests to pupils enrolled in the school, marking the tests and reporting the results of the tests.

"Fees

"(2) Without limiting the generality of subsection (1), an agreement may provide for the charging of fees by the office to a person operating a school described in subsection (1).

"Capacity to enter agreements not limited

"(3) This section shall not be interpreted to limit the ability of the office to enter into agreements with any person."

The background, if I may make a couple of comments, is that subsection 5(1) provides authorization for the office to enter into agreements with persons operating private schools and to charge fees for the provision of services. Groups presenting on native issues spoke to Bill 31 during the standing committee process. The groups spoke about the need to recognize the needs of native students, teachers in native culture and legislation. Although the groups did not reference Bill 30 specifically, an opportunity to improve Bill 30 in relation to native education has been identified, and it is hoped that this amendment addresses the native concerns.

**The Acting Chair:** Any debate? Shall the amendment carry? All those in favour? Carried.

Moving right along, shall section 5, as amended, carry? Carried.

**Mr Skarica:** If I could just make one further comment to section 5, no decisions have been made yet whether or not to charge fees. I would have mentioned it earlier but I just found out myself two seconds ago.

**Mr Wildman:** I'm sorry. What was that?

**Mr Skarica:** No decision has yet been made as to whether to charge fees or what those fees are going to be, in section 5, as amended.

**The Acting Chair:** There are no amendments to sections 6 through until 17. We have an amendment at 18.

**Clerk of the Committee (Ms Lynn Mellor):** Mr Wildman has one on section 9.

**The Acting Chair:** Oh, I'm sorry.

**Mr Wildman:** It's being run off, I guess. Perhaps if you don't have it in hand—

**The Acting Chair:** Shall sections 6, 7 and 8 carry? Carried.

**Mr Wildman:** section 9, you have an amendment.

**Mr Wildman:** I have an amendment to 9.

**The Acting Chair:** Do you have copies of that amendment?

1030

**Mr Wildman:** It's being circulated. Again, maybe it should be stood down, pending whatever the parliamentary assistant is going to propose with regard to information and privacy, because it relates to the same issue.

**The Acting Chair:** All right. We'll stand down section 9. That takes us to section 10.

There not being any amendments, shall sections 10-17 carry? Carried.

On section 18, there is a further government amendment.

**Mr Skarica:** The government recommends striking out section 18.

The background is that specific appropriations by the government for the agency are not required, as funding for the office is to be achieved through the Ministry of Education and Training budget allocation. Additional allocations need not be made.

**Mr Wildman:** The thing is that the ministry is going to be transferring funds from something else to this.

**Mr Skarica:** It will be coming out of the Ministry of Education and Training budget. That's all I can tell you.

**Mr Wildman:** Will that mean fewer years of testing then?

**The Acting Chair:** If you don't want to support the section as printed, then you would vote against it.

Shall section 18 carry? Those in favour? Those opposed? The section does not carry.

**Mr Wildman:** Can we assure everyone this is not a matter of confidence in the government?

**The Acting Chair:** Oops, forgot to mention that.

Subsections 19 (2) and (3), a Liberal motion.

**Mr Patten:** I move that subsection 19(2) of the bill be struck out and the following substituted:

"Same

"(2) Despite subsection (1), no fee shall be required from any board in the absence of a written agreement between the board and the office in respect of the fee.

"Same

"(3) Despite subsection (1), the approval of Management Board is not required for a fee where the person who is to pay the fee has agreed to the fee in writing."

It's very obvious, the intent, and that is that the office cannot just charge someone without some accountability and some agreement for testing of any kind.

**The Acting Chair:** Any debate? Shall the amendment carry? Those in favour? Those opposed? The motion is defeated.

Shall section 19 carry? All those in favour? All those opposed? Carried.

Shall section 20 carry? Carried.

Shall section 21 carry? Carried.

Shall section 22 carry? Carried.

Shall section 23 carry? Carried.

Shall section 24 carry? Carried.

Shall section 25 carry? Carried.

Shall section 26 carry? Carried.

Now we have an amendment which would add a section. **Mr Patten.**

**Mr Patten:** Yes. I'll continue to go through the motions.

I move that the bill be amended by adding the following section:

"Review of office

"26.1 (1) At least once every two years, the Minister of Education and Training shall review the work of the office to,

"(a) evaluate the way in which the office is carrying out its responsibilities under this act; and

"(b) determine whether the responsibilities of the office under this act should be altered in any way.

"Report

"(2) The Minister of Education and Training shall include his or her findings, together with any recommendations he or she considers it appropriate to make, in a biennial report on the office.

"Tabling

"(3) The Minister of Education and Training shall submit the report to the Lieutenant Governor in Council and shall then table the report in the assembly if it is in session or, if not, at the next session."

The intent of this obviously is ensuring regular review and public reporting.

**Mr Wildman:** I don't have any problem with this amendment at all, and I don't know why the government might, unless the two years is a problem and he would like to change the time frame. I can't see why anyone would be opposed to continuous review of an office with a view to improving it or making changes, if necessary, and reporting on that to the public. This is an office that is evaluating education in the province and making reports. Surely they should be subject to a similar type of approach.

**Mr Skarica:** Mr Wildman hit the nail on the head because of the biennial aspect. Section 26 of the bill already provides for the submission of an annual report to the minister and the tabling of that report in the assembly, so this section is not necessary.

**Mr Wildman:** In that regard, Mr Patten I'm sure would want to comment, but I'm not sure that Mr Patten's purpose is exactly the same as the purpose of 26 as already included in the bill. Section 26 as it is already included is a standard approach where an agency of a government makes an annual report. It's not quite the same as saying this is an evaluation of the work of the agency by the ministry.

**Mr Patten:** Precisely. The tabling of an annual report and giving an annual report is not—this says that there would be periodic evaluation. If the government side has trouble with the time frame, I'll entertain a friendly amendment to say three years. But it seems to me the government is talking a lot about public accountability and this helps to provide focus, a reasonable time for periodic review and a public report by tabling this in the House.

**Mr Bruce Smith (Middlesex):** I just had a question to Mr Patten. Would not section 24 of the bill address the concerns in terms of the provisions outlined there in terms of identifying an "annual plan of operation," "multi-year plan" and subsection (3) indicating the requirement for the minister to identify necessary changes to the office. Would the concerns you're outlining in your motion not be addressed in section 24?

**Mr Patten:** I'd like to respond to that.

**Mr Peter L. Preston (Brant-Haldimand):** Sections 24, 25 and 26 are all about reviews.

**Mr Patten:** Yes. Reviewing the plan of action—I don't know; it seems to me if you stand back and do a review—this is what the office will be doing on a regular basis and that those plans are reviewed.

But the evaluation, to me, suggests that you take a step back and you take a look at the whole office and its position in relation to how it's doing etc. What it does on a normal day-to-day basis is it develops plans, it develops programs etc. I see that as different.

**The Acting Chair:** Further debate? Seeing none, shall the amendment carry? All those in favour? All those opposed? The motion is defeated.

Moving right along, section 27, we have an amendment by the government.

1040

**Mr Skarica:** Perhaps we could defer this. This is a housekeeping matter that deals with 27.1, so if we could move on to 27.1 and then deal with 27(1)(d).

**The Acting Chair:** Yes.

**Mr Wildman:** Does this in any way relate to the other matter you wanted to raise?

**Mr Skarica:** Yes.

**Mr Wildman:** Okay.

**The Acting Chair:** We shall defer or postpone—the correct term. We'll deal with 27.1. There is a government motion. Mr Skarica.

**Mr Skarica:** The government moves that the bill be amended by adding the following section, under the heading:

"Obligation re personal information

"27.1(1) Before disclosing personal information obtained under this act, the person who obtained it shall delete from it all names and identifying numbers, symbols or other particulars assigned to individuals unless disclosure of the names or other identifying information is otherwise authorized under the Freedom of Information and Protection of Privacy Act.

"Same

"(2) This section applies to personal information within the meaning of section 38 of the Freedom of Information and Protection of Privacy Act and section 28 of the Municipal Freedom of Information and Protection of Privacy Act."

The addition of this section is that the OTF and the affiliated federations raised concerns about privacy and the need for greater protection of personal information. As well, the Information and Privacy Commissioner submitted a clause for inclusion in the legislation to provide for anonymity of personal information and this government's purpose in tabling this amendment is to address those concerns.

**Mr Wildman:** I support the amendment, I just would make the observation that it's passing strange that the government would propose such an amendment to this bill when they refused the exact same wording for Bill 31.

**Mr Skarica:** With the other bill there were different considerations that were applicable and I don't think we need to get into it now.



**The Acting Chair:** All those in favour? Unanimous. The motion passes.

Section 27.

**Mr Skarica:** The government moves that clause 27(1)(d) be amended by inserting "for the purpose of carrying out its objects" after "office" in the seventh line.

It's a housekeeping matter to make the provision consistent with section 27.1.

**The Acting Chair:** Any debate? No debate. Shall the motion carry? All those in favour? Unanimous. Carried. Shall section 27, as amended, carry? Carried.

We're going back to section 4 which was deferred.

**Interjection:** Postponed.

**The Acting Chair:** Postponed, excuse me.

**Mr Wildman:** I will move this amendment but I would then like some clarification from counsel.

I move that clause 4(1)(b) of the bill be amended by striking out the word "including" in the second line and substituting the word "excluding."

This is I think pretty clear what I'm attempting to do here. The advice I would seek from counsel is to have her opinion as to what effect, if any, the government amendment to 27 has with regard to section 4 and if it doesn't have any effect, then I will argue that we should pass this amendment.

**Ms Marilyn Leitman:** Well, they are related in terms of their subject matter, but the government amendment speaks to disclosure and removing any identifying material. Yours speaks to getting information.

**Mr Wildman:** Yes, they're only indirectly related and the point is, I don't think they should be collecting this and for that reason, I would hope the government would consider very seriously for this bill, as opposed to Bill 31, accepting this amendment.

**Mr Skarica:** The amendment would preclude the agency from, in many cases, marking tests, essentially. The concern is in disclosure of the information, not in gathering of it.

**The Acting Chair:** Any further debate? Seeing none, shall Mr Wildman's amendment carry? All those in favour? All those opposed? The motion is defeated.

Mr Patten's amendment.

**Mr Wildman:** I had one to 9(6) as well.

**The Acting Chair:** Yes. We'll deal with that later.

**Mr Patten:** I move that section 4 of the bill be amended by adding the following subsection:

"Approval of Information and Privacy Commissioner  
 "(1.1) Before requiring a board to provide any information under clause 4(1)(b), the office shall obtain the approval of the Information and Privacy Commissioner."

The intent is the same as Mr Wildman's, and I think probably for all of us, which is that if the reference is made to the commissioner, then they can provide their advice on the nature of the information. It's as simple as that.

**Mr Skarica:** The government's submission is that this would create a bureaucratic nightmare and basically there would be a paper avalanche to the privacy commissioner. It's a very cumbersome provision, and again the government amendment has ensured that privacy information will not be disclosed by the agency.

**Mr Wildman:** I was almost going to agree with Mr Skarica until he used a sledgehammer to kill a fly in his

comments. How can you argue that this is going to create a paper avalanche? Come on. It's pretty clear that we're simply seeking advice from Mr Wright, or suggesting that advice should be sought from Mr Wright. We're not interested in creating an enormous bureaucratic process here. If the government is so concerned about bureaucracy and how long it takes to get information or how much paper is involved with dealing with Mr Wright, then I wonder when they're bringing in amendments to the Freedom of Information and Protection of Privacy Act.

**Mr Preston:** This again is talking to the gathering of information, not of giving it out. We just put an amendment in farther down the line that prevents giving it out. I feel that we should be free to gather the information, and it's protected at that point.

**The Acting Chair:** Further debate? Shall Mr Patten's amendment carry? All those in favour? All those opposed? The motion is defeated.

Shall section 4 carry? Carried.

Moving along to section 9, we have Mr Wildman's amendment.

**Mr Wildman:** I move that subsection 9(6) of the bill be struck out.

This is the argument we've been having throughout this process in the last few minutes, the argument over whether it's okay to collect information and how the individual's privacy is protected. Listening very carefully to the government's arguments and the amendment that was moved by the parliamentary assistant to the later section, I still think the purpose of this office is to set up a system for evaluating education in the province and I really don't understand why they would need significant amounts of personal information about teachers or students.

**Mr Patten:** I think this one is really important. That particular act lays out the kinds of personal information. You're talking about health records, you're talking about a variety of things that really shouldn't be collected, and as Mr Wildman said, we're talking about testing individuals, and so we want to look at the results of the test. I fail to see to how a wide-open window of personal information needs to apply in this instance.

**Mr Skarica:** There is a proviso there, "for the purpose of carrying out its objects," and sometimes personal information may be required to determine whether the testing actually has any validity. The government adopts the same reasoning that Mr Preston used in his arguments in section 4 that persuaded the committee to vote against the other amendment.

1050

**Mr Patten:** What kind of information would you need?

**Mr Skarica:** "For the purpose of carrying out its objects," a learning disability, for example, may or may not have an impact in the testing and assessment.

**Mr Patten:** I raised the question under profiles that if you're testing a special-needs class, for example, that should be identified, which wasn't legitimate there, but now you're saying it's legitimate here.

**Mr Skarica:** I don't think I need to say anything further.



**Mr Wildman:** Again, if the government isn't willing to strike out this section, I really would like to have some explanation of the kinds of information they anticipate the office would have to collect, and for what purposes. You indicated one, a learning disability.

**Mr Skarica:** Another example given to me was how long a pupil has been in French immersion, as an example, when there's testing dealing with proficiency in French. Again, the proviso is for the purpose of carrying out its objects. The office just can't collect personal information—

**Mr Wildman:** That's not personal information. How do you define attending a French immersion program as personal information?

**Mr Skarica:** I would consider it personal information. It's personal to that person.

**Mr Wildman:** Do you classify attending a math class as personal information?

**Mr Skarica:** No, but French immersion's a bit different than attending a math class.

**Mr Patten:** Personal information as talked about in the act is your race, is your blood type, is your sexual orientation, is your medical history. That's personal information.

**Mr Wildman:** I guess attending a separate school then would be personal information under the government's definition. Attending a private school would be personal information. I mean, this is a little bit—

**The Acting Chair:** Further debate? There being none, shall Mr Wildman's amendment carry? All those in favour? All those opposed? The motion is defeated.

**Mr Laughren:** A lot of reluctant hands over there.

**The Acting Chair:** Shall section 9 carry? All those in favour? All those opposed? The section carries.

**Mr Patten:** If I might make a comment, I'm a little disappointed that we don't even have a rationale. This hinges upon personal information. We don't have a rationale and yet it's just passed because the government has the votes. I find that disappointing.

**The Acting Chair:** Moving along, section 28. Shall section 28 carry? All those in favour? All those opposed? Unanimous.

Section 29. Mr Skarica.

**Mr Skarica:** The government moves that subsections 16(8.1) and (8.2) of the Education Act, as set out in subsection 29(2) of the bill, be struck out and the following substituted:

"Agreements re tests

"(8.1) The minister may enter into agreements with a person operating,

"(a) a private school;

"(b) a school provided by a band, the council of a band or an education authority where the band, the council of the band or the education authority is authorized by the crown in right of Canada to provide education for Indians; or

"(c) a school provided by the crown in right of Canada.

"about administering tests to pupils enrolled in the school, marking the tests and reporting the results of the tests.

"Same

"(8.2) Without limiting the generality of subsection (8.1), an agreement may provide for the charging of fees by the minister to a person operating a school described in subsection (8.1)."

This is basically now a housekeeping matter in line with the previous amendment.

**The Acting Chair:** Further debate? All those in favour? Unanimous. The amendment is carried.

Shall section 29, as amended, carry? Carried.

Shall section 30 carry? Carried.

**Mr Skarica:** One final housekeeping matter, section 31, if I may.

I move that the bill be amended by striking out "Education Quality and Accountability Office Act, 1995" wherever it appears and substituting in each case "Education Quality and Accountability Office Act, 1996."

**Mr Patten:** What's the rationale for that?

**The Acting Chair:** Shall the amendment carry? Unanimous.

Shall section 31, as amended, carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement, as amended, to the House? Carried.

Shall I report Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes, as amended, to the House? Carried.

This committee stands adjourned until further notice.

*The committee adjourned at 1057.*









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Ross, Lillian (Hamilton West / -Ouest PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

Carroll, Jack (Chatham-Kent PC) for Mr Preston

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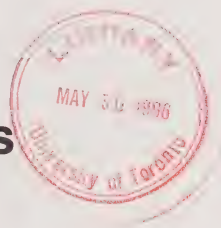
Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 6 May 1996

# Journal des débats (Hansard)

Lundi 6 mai 1996



**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Education Amendment Act, 1996

Loi de 1996 modifiant la Loi  
sur l'éducation

Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENTCOMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Monday 6 May 1996

Lundi 6 mai 1996

*The committee met at 1530 in room 151.*EDUCATION AMENDMENT ACT, 1996  
LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Consideration of Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

**The Acting Chair (Mr Dominic Agostino):** As we start, I'd like to first of all apologize to the first presentation, which is scheduled for 3:30. We're going to be running a bit behind as we have a five-minute presentation by the minister followed by five-minute responses by the critics for the two opposition parties. We'll try to move things along as quickly as we can and stick as close as we can to our time line. We'll stick very closely to the time allocated to the speakers in the first session as well as the rest of the presentations today. I call upon the minister, the Honourable John Snobelen, to open up with a five-minute presentation on the overview on the bill.

## MINISTER OF EDUCATION AND TRAINING

**Hon John Snobelen (Minister of Education and Training):** I'm pleased to have the opportunity to open our discussion of Bill 34 this afternoon. This legislation enacts key elements of the education savings strategy I announced on March 6. It represents an important step towards our province's goal of an education system that is based on excellence, accountability and affordability. Our goal is to help schools bring education spending under control and achieve savings of \$400 million in 1996-97.

First, I want to point out that the \$400 million in savings, which will be found through changes in operating as well as capital grants, represents only 3% of the total \$14 billion being spent each year on education in Ontario. Once the savings from the capital moratorium are included, the reductions to operating budgets average only 1.8%.

We need to maintain and improve quality education programming in Ontario while bringing our spending into line with other provinces. Ontario spends close to \$1 billion more, or about \$500 more per child, on education than the average of the other provinces without any difference in academic results.

Allow me to share another perspective: The Ontario School Board Reduction Task Force, which was commissioned by the previous government, has indicated in its recent public report that 47%, or roughly \$6.7 billion, of our education dollars are directed towards items which it

defined as being outside the classroom. That's money spent on items such as school board administration, transportation and maintenance. Currently, Ontario's school boards annually spend approximately \$890 million on board administration, \$600 million on transportation and \$1.2 billion on maintenance services.

Few can argue that significant savings outside the classroom are not possible. For several months I have met with parents, students and taxpayers, as well as school trustees, school board officials and teachers, to get their views on how to accomplish the necessary savings. I heard three very clear messages: First, people told me they believe that education savings can indeed be achieved without compromising education quality; secondly, they said there must be an opportunity to develop cost-saving solutions locally; and, third, they emphasized that while these matters need to be urgently addressed, we must allow time to ensure that we maintain quality programming for our students.

Bill 34 gives local school boards the flexibility they need to achieve these goals. It also sets the stage for further restructuring of the system through a focus on investing resources in student learning while cutting administration and bureaucracies.

Ontarians recognize the need to find significant savings within our education system. The challenge is to achieve reductions that will move education spending to sustainable levels while protecting the quality of classroom education as measured by student achievement. Bill 34 answers this challenge. It points us towards an environment where our important investment in education is a sustainable investment.

This bill also respects and embodies the important principle that the province shares responsibility for education with local communities. The government has heard a clear message from parents, students and taxpayers, as well as school board trustees, officials and teachers. That message is that there must be an opportunity to find savings through solutions developed at the local level.

We have already, through the general legislative grants, encouraged boards to reduce expenditures on transportation, central administration, instructional supervision and custodial and maintenance services. We have placed a one-year moratorium on new construction of school facilities, a step that will provide greater flexibility to boards in terms of how they deploy their resources.

Bill 34 also promotes local decision-making and local accountability. The government has clearly stated that classroom funding should be protected and that local taxes should not be increased as a result of these measures. Greater cooperation between school boards and other public sector agencies is one important way to

achieve these goals. This bill gives boards a clear mandate to make cooperative agreements and it provides a mechanism to make boards publicly accountable for their actions in this area.

If you look at other measures in this bill you will find that we have, where necessary, structured each measure to allow boards to make decisions that will best serve their local communities while protecting educational opportunities.

With respect to junior kindergarten, for example, we are with Bill 34 fulfilling our commitment to restore junior kindergarten as a local option. We will pay the province's fair share of funding for JK for those school boards that choose to offer the program.

If you look at the specifics of the measures we have taken with respect to adult education, you will find provisions to ensure that some categories of adult pupils may continue to be served through the regular day school program.

Bill 34 is necessary, fair and reasonable. It will help Ontario's school boards take positive and proactive steps towards controlling education spending. It will encourage financial restructuring in education so that our schools can do better for less.

I look forward to this committee's hearings and full discussion as an opportunity to ensure the best possible legislation is passed. The final result will be an even better education system that meets the needs of the people it serves: all the students in our schools and all the taxpayers of Ontario.

**The Acting Chair:** If I can now turn to the official opposition, Mr Patten will open up. We have five minutes for responses to the minister's statement.

**Mr Richard Patten (Ottawa Centre):** Thank you for the opportunity to reply to some of the comments the minister made today. I am likewise pleased that as a committee we have the opportunity to hear directly from the public on the impact the cuts will have on Ontario's education system in the name of fiscal restraint.

I'd like to state at the outset that I believe that these cuts and the manner in which they have been implemented are misguided. Everything this government says in relation to funding education in Ontario is couched in the terminology of fiscal restraint and fiscal responsibility. Why is that? Because the government's cuts to education are driven not by its concern for the quality and the accessibility of education; they are driven by a promise to deliver a 30% reduction in the provincial tax rate — so it's essentially an economic question we're looking at — a reduction which will disproportionately benefit those who need it the least. I'm talking in terms of the application of the provincial tax rate reduction. The single-minded determination of this government to provide this tax break is resulting in the extraction of money right out of the education system. This money will leave the system completely, and this is what Bill 34 is mainly all about.

The proposed changes to the Education Act will have a negative impact on the quality of education in Ontario. These cuts to education are a direct result of this government's promise to deliver the 30% tax break.

Under the Conservative government, education is being attacked on a number of fronts. In the case of Bill 34, young children and those returning to complete their education will be negatively impacted. The government's restoring of the local option does not mean restoring the program. On the contrary; for many boards it means no option at all. It means that the funding changes to junior kindergarten — and, I might add, to adult education — increase the local contribution, lessen the province's contribution and make the programs unaffordable for probably half the school boards throughout the province. The Conservatives are undermining the provision of early childhood education. The cancellation of junior kindergarten programs in the province will result in the loss of those teachers who are most capable of teaching young people.

**1540**

Charles Pascal, former Deputy Minister of Education in the province of Ontario — no longer the deputy minister, obviously, or he wouldn't be making these kinds of statements — in response to, "We must put our fiscal house in order, for the sake of our children's children," by the Premier, recently said in a local paper:

"Hey, I agree. We need to ensure that we deliberately, steadily and intelligently move towards balanced budgets and a reduced debt load. And, indeed, we need to do it for our children's children and their opportunities.

"But, holy doubletalk, look who is using the 'children's children' chant to draw cheers from the government's backbenchers.

"This is the same government that is ripping into an already fragile but important child care system; that seems to be disinterested in high and consistent child care standards and more interested in imposing a 1950s Ozzie and Harriet view of the world. This is the same government that is gutting junior kindergarten by making it optional at the board level; the same folks who were musing about making junior kindergarten available for 'full-fee payers' only."

He goes along to identify other points related to early childhood education.

It seems that the government thinks it can cut a little at both ends of the education cycle without impacting on the product in between. I believe they are wrong, and we'll hear what people have to say as we go through these hearings.

Prior to and during the election, the Conservatives promised that their cuts to education funding would not impact on the classroom. The cuts in Bill 34 not only impact on the classroom, but for many thousands of children and adults Bill 34 eliminates the classroom entirely. Not impacting the classroom with this level of cuts is not possible. Likewise, I have spoken to a lot of parents, spoken to a lot of boards, spoken to a lot of teachers; must be a different group of teachers, because they're saying the classroom indeed is impacted.

The system has been saying this for months, and now educators and school boards are experiencing it at first hand. Thousands of teachers have received layoff notices. We know that many will be back, because that's what happens at this time of the year, but many will not.



Billed as a toolkit that would give school boards the ability to cut \$400 million from education, Bill 34 has very few tools. In fact, it has none at all other than windows for the government to reach in and pull out money totally from education.

I hope that through these hearings the committee will be able to demonstrate to the government that its approach to education reform in Ontario is disabling what has been built up so painstakingly over many years.

**The Acting Chair:** I go to the NDP for their five minutes.

**Mr Bud Wildman (Algoma):** I'm very pleased the committee has been given the mandate to hear from people across Ontario on the possible impacts of Bill 34 and I look forward to the information we glean from the presentations that will be made before the committee during our hearings.

I listened very carefully to what the minister had to say with regard to schools doing better with less, and I can only conclude that the minister still hasn't heard what has been said so often over the last few weeks and months by teachers, students even, parents, administrators, trustees and so on. The fact is that in many important ways schools will be doing less with less as a result of the cuts. Perhaps they should be, but let's be honest about it if that's what's happening. I don't know if they should be.

It has been oft repeated by the government and by the minister that the reductions that will be made, and must be made in his view, will be made outside of the classroom and that classroom education will remain exempt from the cuts, as was promised by the Conservative Party in the election campaign. Of course, this all depends on how one defines "out of classroom." The minister is wont to point to Mr Sweeney's report and to say that somewhere in the neighbourhood of 40% of expenditures occur outside the classroom. When one includes teacher preparation as an outside-of-the-classroom activity, then one can come up with figures like 40%, I suppose.

**Hon Mr Snobelen:** It's 47% actually.

**Mr Wildman:** Almost 50% then, but it is really just plain nonsense — not common sense, nonsense. To suggest that what teachers do in preparing for classes for students is not related to and is not part of classroom education, I think, is an indication of what is wrong with the definitions that are being used.

The minister referred to the \$400-million cut in grants as being only 3% of the total expenditures in education, and yet in the debate on his ministry's estimates he admitted that, annualized, that works out to about \$1 billion. I recognize there have been some deferrals of capital expenditures to take up part of that, but that just means we're deferring needed expenditures till next year, I suppose, or the year after.

The fact is it is substantially more than 3%. In our view, you're tearing the heart and soul out of education by trying to get this amount of money in one year, and it's certainly impossible to do it without affecting classroom education.

We've seen the effects in junior kindergarten and in adult education programs. Already, 20 junior kindergarten programs have been cancelled by boards in the province. The minister says the government is committed to

fulfilling the promise to restore junior kindergarten programs as an option. All that means is moving away from the fact that it will be compulsory and the money would be there, to a situation where if the boards can come up with their share and want to provide the program, then the government is prepared to participate, keeping in mind that the board still must take this amount of money — overall, about \$800 million to \$1 billion — out in one year.

That really is not an option. That's like saying to a child, "Yes, you can have an ice cream cone if you've got the money," when the kid asks for an ice cream cone. If the kid has the money, I suppose they'll get the ice cream cone, but if you're telling them at the same time, "I'm cutting your allowance," they're not likely to get the ice cream cone.

The minister also refers, again, to his oft-repeated remarks about the expenditures in this province being so much higher than the average in Canada, spending \$1 billion more, he says, or \$500 more per student. Again, that ignores the evidence presented from StatsCan that indicates that in fact we aren't that much higher than the average in Canada, particularly if Ontario is included in that average. It also ignores the fact that in coming up with those calculations —

**The Acting Chair:** May I ask you to wrap up, please.

**Mr Wildman:** — 100,000 junior kindergarten students were included in the expenditures but not in determining the cost per pupil.

I'll just wrap up by saying we have major issues here with regard to negative grant boards and their contributions that are going to be allowed under this legislation; what this means for the property taxpayers in these areas, particularly when the minister has said he doesn't want any property tax increases; and also the questions arising about the announcement on small boards, the 27 listed, that will get a portion of the \$14.5 million.

We've seen 10,000 layoffs of teachers in 32 boards in the province. This is a direct result of taking \$1 billion out of education. It is hitting the classroom. These teachers are from the classroom. I hope the presentations over the next couple of weeks will convince the minister and his colleagues from the Conservative Party that they should rethink what is out-of-classroom expenditures and how they should meet their commitment not to affect the classroom in Ontario.

1550

## COALITION FOR ADULT STUDENTS

**The Acting Chair:** I now turn it over to our first presentation, on behalf of the Coalition for Adult Students, Wanda Gould. Welcome to the committee. As you know, we have a total of half an hour, and that would include any time you choose to allow for questions and points to be made on a rotation basis by the members of the three parties here today. I'll turn it over to you.

**Ms Wanda Gould:** I don't feel I'll take quite that long. Let me first start off by saying I'm talking in regard to the amendments to the Education Act about adult education.

I'll start off by introducing myself. My name is Wanda Gould, and I'm 22 years of age. I'm currently attending my final semester at Burnhamthorpe Collegiate in Etobicoke. I am a representative on the Metro adult school coalition. This coalition is a group of adult students who convened together in March of this year to discuss our fears about the cuts to adult education. We are just starting out, and we are currently still trying to figure out our roles in adult schools.

I would like to thank you very much for giving me the opportunity to speak to you this afternoon. I'd also like to thank you for amending the Education Act in such a way that it reflects what we already know; that is, education is a lifelong process and without it you cannot go far. Of course, many adults are aware of this now too, and this is why we have seen an increase in the number of adults returning to school.

Let me begin telling you my own story and how adult education has helped me save my future. I was always considered a bright but average student. I wasn't highly motivated, but I still maintained average marks, and I was never considered a discipline problem. Some of this changed when I entered grade 7. I began to fake illnesses with my parents so I wouldn't have to go to school. Eventually, however, my parents caught on, but my lack of attendance in class still continued. It became a habit which I could not break, regardless of all the counselling and disciplinary action I received. It was this habit I carried with me through high school. I averaged 20 absences in each class, and it was here that I finally saw the effect it had on my marks. It was my first year of high school and, due to poor attendance, I only received four out of eight credits.

It was around this time that people had given up on me and trying to straighten out my attendance problem and decided it was best if I learned on my own. Only a year and a half after I entered high school, with only six credits to my name, I dropped out. It wasn't really a surprise to anyone, and I justified my leaving school by promising myself and others that I'd return next semester. I did return and I actually stayed for a full semester, and earned only another two credits for it. I was now up to eight credits. I decided that school wasn't really for me, and I left again.

I began working full-time as a cashier at a gas station at the age of 17. It was here that I tried to educate myself with correspondence provided by the Independent Learning Centre in Toronto. Of course it didn't work, because I was not an independent learner and had inconsistent motivation. It was while working that I discovered that the completion of my OSSD should be my priority.

I returned to school in the fall of 1992 and, though my attendance problems continued to hinder my progress, I stayed in. It was a very long time, but I started slowly earning credits, but eventually this caught up to me. I started becoming older and more mature and found that my fellow classmates were not entirely mature. But what did I expect? They were three to four years younger than I was.

I was no longer comfortable in a regular learning environment simply because of the age difference, and I

left school again. I was 20 years old and felt I had no alternative way to earn my OSSD. I decided to enter college preparatory courses at that point. But this didn't work either, because it was all based on independent learning, and I had not yet learned the skills for this.

I sat at home for a few months, feeling very depressed. I had no future, or so I thought. It was then that I found Burnhamthorpe Collegiate. I had heard all about this adult school before and had preconceived notions about it. I thought it was a basic adult learning centre and there was no real place for me there. I soon found out that the courses were the very same offered in regular secondary school.

However, there were differences. I had teachers who knew how to treat me as an adult student and fellow students who were highly motivated and very helpful. Most important was the structure. Admissions helped make me feel more at ease at my new school, and guidance helped me decide which courses and post-secondary institution was best for me. I always knew that if I should need help in a subject, peer tutoring and teachers were ready and willing to give up their spare time if I was willing to contribute the effort. It is these things that contribute to the productive atmosphere that is present at my school.

Most of all, I didn't have to learn on my own. It was here that I was finally taught the skills necessary to become an independent learner. The learning process will never stop in my life, because of this.

It's true that adult students who attend day school are very motivated. However, most of them lack the skills that would allow them to learn independently. This prevents them from learning from alternative means, such as correspondence and night school. Day school provides an opportunity for those students who wish to improve their futures more quickly. The average adult student spends no more than two semesters attending day school to achieve their goals. If this were to be done at night school, it would take much longer.

Adult students fear the cuts in adult education. They are afraid that if the structure of the program that works for them is affected too much, it may no longer be useful to them or others.

If it were not for Burnhamthorpe, I would not be looking forward to graduating this June. I will be the first in my family to graduate, and my only problem right now is how I fit all my family into the auditorium for my commencement. It is also because of BCI that I will no longer see "Poor attendance hinders progress" on my report cards. I am focused and motivated now. I have goals. One of them is to attend college this fall and to complete my education at university later on in life.

I have to say that part of my motivation comes from the death of a close friend who died at the age of 21 of diabetes, without receiving his OSSD. It was because of his death that I learned that life was too short. It was a tragic but necessary lesson that I needed to learn.

You have all listened to my story, and I thank you for it, but please keep in mind that my story is one out of a thousand, and I can only hope that I have given fair representation to all of the adult students I represent here



today. I have provided a profile of the average student at my school, and I think it's representative of all the adult students I know in Metro.

Thank you once again for this opportunity, for allowing me to speak to you, and I'd like to thank the Etobicoke Board of Education for providing me the opportunity to attend such a wonderful school. I thank you on behalf of all adult learners for allowing representation of adult students in the amendments to the Education Act.

**The Acting Chair:** Thank you, Miss Gould. We have about six minutes per caucus. I'll turn it over to the government first. Mr Skarica.

**Mr Toni Skarica (Wentworth North):** I'd like to congratulate you for your presentation and the fact that you've persevered and continue to go to school. How familiar are you with the amendments in the proposed bill here?

**Ms Gould:** I've read the amendments briefly, not very well. I was really only concerned with the adult students. I understand we're finally recognized, and that was one of our main concerns, that we were not guaranteed an education.

**Mr Skarica:** Right. As I understand it, the proposed amendments will provide for adults to receive adult education, but they'll be referred to continuing education programs, both in the daytime and the evening. What impact would that have had on you if that regime had been in effect at the time you wanted to go back?

**Ms Gould:** I'm not in continuing ed right now. If I was, I wouldn't have stayed, because it doesn't provide the structure necessary. I'm sure the majority of my fellow students would not have stayed at that school, because it's the structure that provides the atmosphere that leads all the students in there to be very productive.

**Mr Skarica:** What was the structure that was so advantageous to you?

**Ms Gould:** You receive a lot of encouragement from your teachers. They're always willing to help you out during their spares. Admissions was always there if you had a problem. Guidance is always there if you have a question about a course or about college or anything.

It's very much like a regular secondary school, except there's a lot more activity — a lot more. The cafeteria, the library, the study hall are always filled with people studying. You have to get there early to get a seat. People compete for marks and people get upset because they've missed classes, something I didn't see in my high school days.

**Mr Skarica:** It seemed to me, just from your evidence, that you went to adult education initially and dropped out but then went back later.

**Ms Gould:** I returned to regular high school, my old high school, three times. I don't blame the high school at all for my problems. I simply got too old. I no longer got along with 15-year-olds. I was 20 years old, couldn't handle the discipline problems or anything like that.

**1600**

**Mr John O'Toole (Durham East):** Thank you for the presentation and for the self-discovery journey there. In the adult learning situation, was there a lot more one-on-one, you and your instructor?

**Ms Gould:** Yes, if you went after school. I'm all in advanced courses so it's mainly lectures, but if I go after school or on their spares they're always going to help me out.

**Mr O'Toole:** As you mentioned previously, is there, in your opinion, more of a unique skill for the teacher in adult learning?

**Ms Gould:** Yes, there is. They have to be more patient and more understanding, more interested —

**Mr O'Toole:** Is that age-sensitive?

**Ms Gould:** Yes, I think it's more age sensitive, but they also have to be very encouraging. As adult students we've already been beaten down once, and it's so easy to get discouraged.

**Mr O'Toole:** I appreciate the background information. Is there a job linkage accounting?

**Ms Gould:** We have co-op offered at our school. I understand it's a very busy program and that employers like our students.

**Mr O'Toole:** What do you think about work experience as being a valuable part of learning?

**Ms Gould:** I think it's very, very important. There's the classroom on the inside, and then the average student usually gets a pretty good shock on the outside.

**Mr O'Toole:** Yes. So you think work experience helped to mature you as well?

**Ms Gould:** Yes, it did.

**The Acting Chair:** We now go to the opposition.

**Mr Frank Miclash (Kenora):** I want to thank you for your presentation. You've actually put forth a case that, as a former educator, I've seen many times. I liked your point that you've been taught skills to become an independent learner. In a great many areas we forget that people do want to become independent learners.

What I'm looking for here is where you are now and where you think you will be in the future, where this program will allow you to lead your future to?

**Ms Gould:** This program leads me to my OSSD, which is necessary for my post-secondary education. I'd much rather go that way than the mature student route simply because I want to know more when I go in; I need to know. My interests are in science right now. I have applied for chemical technology courses at colleges. I hope to obtain full-time employment after my graduation from college and to attend university at night school for my bachelor of science degree.

**Mr Miclash:** You mentioned the co-op program. Are you involved in the co-op program presently?

**Ms Gould:** No. I wish I was, but it didn't fit into my course schedule.

**Mr Patten:** Likewise, thank you for being here today. I wonder if you could elaborate a little. The legislation as proposed is changing the financial status of the program, which means it affects whether it will be operated universally. Some school boards may have to drop it; others will keep it. We don't know yet where that will be. The alternative is that people who want these courses can take these under the continuing education mode, which is course by course. Based on your testimony, you talked about being part of a class and the attention of the teachers. Could you give us other examples of the difference between taking something course by course



and being part of something in a relationship with other students plus the teacher?

**Ms Gould:** Sure. Any courses that I have been in so far, mainly sciences, we've been focusing a lot on group work and teamwork and how to work together on developing roles of leadership and team players. A lot of my teachers stress that the most with us. Also, in the cafeteria we offer peer tutoring for our math and physics program. One on one, you get to know the teachers better and they get to know you better. They're not off in a rush. If they are busy and they can't help you, they will always provide you time. They'll talk to you about your future, about what you plan to do, and they encourage you to do a lot. I've had teachers encourage me to go straight to university, but I don't feel ready for it quite yet.

**Mr Patten:** How would you judge your fellow students and sister students in terms of dropout rate? Is it low? Is it high? In other words, do they see the program through?

**Ms Gould:** I've seen students drop out but come back and complete it. I've been there three semesters. Students have left, and they do come back. Of course, with every school you're going to have a dropout rate. I wouldn't say it was particularly high. I don't really notice that much difference.

**Mr Patten:** And your hope is to go on to college or university?

**Ms Gould:** My hope is to go on to college and then to university, at night school.

**Mr Michael Gravelle (Port Arthur):** Just to feed into what Mr Patten was saying, I'm also concerned about the impact. There's a very impressive enrolment at BCI in terms of numbers. Has it been well communicated to those students what this bill and the amendments to this bill could mean?

**Ms Gould:** It's been tried. Most of the students understand what's going on, but there is a lot of fear and rumours running around, as always. There are fears and rumours. I don't think they fully understand, but I am very sure that if they wanted to know, there are people there to tell them. They understand that we're losing 16 teachers this year. That really hurts people, but they understand it.

**Mr Gravelle:** Your story is impressive and I applaud you for it. Would you say a fair percentage of the students enrolled in BCI probably have similar stories in terms of why things didn't work out for them when they were younger, which of course speaks to the value of this particular place?

**Ms Gould:** Yes, many people I know are the exact same way, and then I know people who were considered geniuses at school and were in special learning programs for gifted students but who weren't treated very nice at school and ended up dropping out due to emotional problems and have come back. It'd be a real shame if they didn't have that opportunity to come back to school, because the world would miss out on that intelligence.

**The Acting Chair:** Now to the NDP.

**Mr Wildman:** Thank you very much for your presentation. I'm looking at the profile you've tabled with the committee. It's interesting that in your description of the

learners served at Burnhamthorpe you say approximately 60% depend on social assistance and just less than half have one or more dependent children. The breakdown in the student population is 60% female, 40% male.

As I'm sure you're aware, the public school boards of Metropolitan Toronto do not receive grants from the provincial government, so changes made in this bill related to adult ed won't directly affect adult education here; indirectly it will because there are other parts of this bill that affect the Metro Toronto board. Let's put it this way. Other boards in the province do get grants from the provincial government that provide similar programs to what you're taking at Burnhamthorpe. They will now receive less for adult education. They will be funded at the level of continuing ed. You said you didn't think you would have continued if you'd been dependent only on continuing ed courses.

**Ms Gould:** No, I wouldn't have continued.

**Mr Wildman:** Why is that? Obviously, you're a very motivated person now. You've matured, you're an adult, you've got goals in mind. If you were at this stage in life now — or maybe you think you wouldn't have got to this stage; I don't know. If you were at this stage in life now, why couldn't you have taken a correspondence course or a night class or whatever?

**Ms Gould:** Simply because I wasn't an independent learner then. It's taken me three semesters, but I'm finally learning how to learn on my own and to discipline myself to learn on my own. That's what con ed didn't provide. It doesn't provide you that opportunity to learn on your own. You're usually in a classroom filled with students, and you share no common bond. You're in a classroom for three to four hours, you listen to your teacher, you do your work and you don't have very much time to get along with people. You don't have very much time to snag the teacher, because he or she is doing so many things at once. I didn't know how to be an independent learner.

That's what the students I know are stuck in. That's why correspondence didn't work for them, that's why night school doesn't work for them, that's why continuing education altogether doesn't work for them.

1610

**Mr Wildman:** Basically, it appears to me you're saying that at the day school program, you feel a part of a community, a community of students and teachers who are working together to ensure that everyone gets to achieve the goals they've set for themselves. There isn't that kind of community in a night class that you might be taking?

**Ms Gould:** Not that I've noticed, no.

**Mr Wildman:** You said that at Burnhamthorpe you're going to have fewer teachers next year, you've been informed.

**Ms Gould:** Yes.

**Mr Wildman:** How many fewer teachers?

**Ms Gould:** Sixteen out of I believe close to 80. Our enrolment cap is down. You see 1,200 students here. Apparently our enrolment cap is going to be just over 950.

**Mr Wildman:** So they're cutting back even the number of students, and that therefore means fewer teachers will be required for the program.

**Ms Gould:** Yes.

**Mr Wildman:** Are there any indications of what effect this might have for class size at this point, do you know?

**Ms Gould:** I believe class sizes will probably very much increase. We've also had to cut courses. As far as I understand it, next year they've cut out the music department, simply because it didn't reflect the needs any more. Something had to go, so we've lost the music department. Classroom size is going to be a little bigger, but I'm not sure what kind of impact that's going to have quite yet.

**Mr Wildman:** Your courses do occur within classroom walls?

**Ms Gould:** Oh, yes.

**Mr Wildman:** I see. This government said it wasn't going to affect classroom education.

**The Acting Chair:** I'd like to thank you for the presentation, Ms Gould. We appreciate your being here today.

#### METROPOLITAN TORONTO SCHOOL BOARD

**The Acting Chair:** I ask our next presenters to come forward, the Metropolitan Toronto School Board. We have Ms Ann Vanstone, the chair, and Don McVicar, the director and secretary-treasurer of the board. Please introduce yourselves for the record and begin.

**Ms Ann Vanstone:** This is Don McVicar, the director of the Metro school board, and Don Higgins, the superintendent of finance, in case you have any financial questions I can't answer.

We're here today to express our concerns regarding Bill 34 and the impact it will have on the delivery of education in Metropolitan Toronto. I'll attempt to address all five of the pertinent issues comprising Bill 34, but I would like to do so in a different order than they appear in the bill.

I will concentrate in the beginning on section 4, dealing with local property taxes being submitted to the provincial government, as it is this issue which causes us the greatest concern. Should time considerations prevent me from commenting on the other sections, please note that they are addressed in the written statement I will be submitting to the standing committee.

To put it bluntly, section 4 of Bill 34 is a bill on pooling. The exact wording may be open to interpretation, but the intent of section 4 is unmistakable: It is designed to allow the transfer of local property taxes collected for local education purposes into general provincial revenues. Not only is this practice unconscionable, we believe it is unconstitutional.

Let me set out very clearly the conundrum facing the public boards of Metropolitan Toronto on this issue. As the law stands now, if we were to turn over any portion of local property taxes to the province, we could be sued by our ratepayers. On the other hand, if the provincial government makes such a transfer mandatory, we would have no choice but to sue the province.

Although we believe pooling is unconstitutional, we are certainly prepared to discuss potential solutions with the government, to reduce costs while avoiding pooling and the constitutional implications that come with it.

However, if the current conundrum is to be resolved, it must be in the best interests of Metropolitan Toronto ratepayers. Any agreement between the provincial government and the Metro school board must be in place before legislation is introduced to implement the specific transfer.

I want to go into some detail about why we consider provincial pooling to be so detrimental to education in Metro, and we believe public opinion in Metro supports our position.

As you know, Metro's public school boards are financed entirely by education property taxes. We receive no provincial grants. Indeed, the mathematical calculation used by the province to determine what grant a school board is eligible to receive produces, in the case of Metro Toronto, a negative number, generally referred to as a negative grant.

This number changes from year to year because of enrolment changes, assessment increases and decreases, and an equalization factor determined by the province which compares Metro's tax base to the tax bases of all boards in the province, adjusted by market value factors. For example, in 1996 our Metro tax base reduced dramatically because of successful tax appeals. This would have made us eligible for grants in 1996 had the general legislative grant regulations not been changed regarding junior kindergarten and adult education. As a result of those changes, we will once again be grant-negative.

Section 4 of the proposed new amendments to the Education Act states that non-grantable boards, presently Metro and the Ottawa board, may give the finance minister, for use by the province, an amount of money not greater than the negative grant amount. This would essentially open the door for the province to access the property tax base for its own use. This practice is currently illegal; for us to voluntarily allow it to happen would open us up to potential litigation from our ratepayers.

More than just a legal issue, this is also a fundamental education issue. Education dollars raised from property taxes should not be used for the purposes of general provincial revenue. It should be noted that taxation of property to finance public education is the earliest form of taxation in Ontario and certainly pre-dates any ability of the provincial or federal government to impose and collect taxes.

According to the Golden commission studying reform of the greater Toronto area, some \$2,300 from each and every household in the GTA is already being used to subsidize services in the rest of the province. This latest proposal would exacerbate the situation.

The key principle here is that property taxes have until now been expendable only by locally elected representatives, either municipal councillors or school trustees. It is our steadfast belief that opening this area of taxation to another level of government, which has its own very broad powers of taxation, is unacceptable and would require us to seek a court decision.

Let me reiterate: If the legislation reads the way it currently does and the Metro board transmitted property taxes to the province, it could leave us open to a lawsuit by a ratepayer, and I've certainly had a good number of phone calls threatening to sue us if we dare take their



property taxes and give it to another level of government. If the legislation was changed so that it is not permissive, we would have to seek court clarification ourselves.

You may not be aware that there's a potential precedent for this case: A court decision rendered in Alberta last November will certainly end up in the Supreme Court of Canada. My understanding of constitutional law is that a decision in that case would impact on all provinces and would prohibit pooling of property taxes.

Beyond the legal ramifications, provincial pooling would have a devastating impact on revenues and tax rates across the province. It is our understanding that impact studies have not been conducted by the province. We have, however, undertaken our own analysis based on data supplied directly by the province, and the results are startling, to say the least. I will hand you out a small schedule when we're finished this.

**1620**

Our analysis shows that the first part is certainly true. Under the pooling proposals in the Sweeney report, there would be a net export of \$236 million out of Metro, but the idea that other boards wouldn't be hit is a fallacy. Our calculations show that \$11 million would be exported out of Muskoka and almost \$8 million out of west Parry Sound, to name but two examples. Moreover, pooling would cause a major tax shift. Our analysis indicates that provincial pooling could result in a residential property tax increase of 20% in Metro, while commercial taxes in Peel would go up by 24%, Muskoka would face a commercial tax hike of 144%, and I believe, if my memory serves me correctly, west Parry Sound would receive a commercial tax hike of 122% plus a residential tax hike.

The Premier has stated that the status quo is not an option for education in Ontario, and we understand that position. But we must caution that it is not just education finance that needs to be addressed; a whole host of other issues, such as student performance standards, tax assessment and governance issues must also be looked at. Indeed we need to take the appropriate time to focus on these key issues in overall education reform, but we cannot get to them because we seem to spend all our time focusing on finance. The public school boards of Metropolitan Toronto are willing and prepared to work with the provincial government to explore our options for education reform to resolve all the education issues that impact us. We will not, however, passively accept financial measures that we believe will have disastrous ramifications for the ratepayers and students of Metropolitan Toronto. Again, we are willing to work with the province to find solutions to education reform issues.

I want to take a moment now to discuss the fundamental reform required in Metro before any other issues can be properly addressed: assessment reform. In analysing our expenditures, it is clear that because of successful assessment appeals, the public boards in Metro had their per-pupil costs inflated by \$241 a student in 1994 and by similar amounts in 1995 and 1996. The former provincial government refused to act on a request by Metro Toronto council to implement reassessment in Metro. As a result, although we have cut some \$200 million in expenditures from our school system at a time of steeply increasing

enrolment, the crumbling assessment base has caused us to impose an increase in property taxes. A stable base would have allowed a significant decrease in the mill rate.

Many boards in Ontario have asked for and received "undue burden" grants when faced with such hardship, though I believe the devastated assessment base in Metro is without precedent in Ontario. We are not asking for an undue burden grant. However, we believe that the savings MTSB can achieve in the current cost reduction process should be returned to Metro ratepayers. We will not ask the province to bail us out as we struggle with the fiscal challenges. Likewise, we are adamantly opposed to being forced to bail out the provincial government at the expense of Metro ratepayers.

Let me turn now to the other components of Bill 34 and offer our positions on these issues.

Section 1, junior kindergarten: Bill 34 means it will be no longer mandatory for boards to operate junior kindergartens. Since the public schools in Metro have offered universal junior kindergartens for 25 years, they will most likely continue to do so. For the past few years, JK has been funded 100% by the province, but as the Metro boards do not receive any funding from the province, this is not of immediate consequence to us. As well, we do not have the difficulties that other boards have in transporting children to junior kindergarten, and we do not have the significant problems of a half-day program nor the cost of transportation.

When other boards continue to operate junior kindergartens, they will be funded at the individual board's rate of provincial grant. Our major concern is that, by and large across the province, the effect of this will be that many public school boards operating at a low rate of grant, compounded by transportation problems, will cancel JK, while separate school boards, who normally have a high rate of grant, may be more likely to continue to operate them.

Again the legislative changes proposed in Bill 34 will have little impact on Metro's public school boards. We have provided this service, funded by our own local ratepayers, for a quarter of a century, and we expect to continue to do so.

Adult education: Until now, school boards in Ontario have been able to, subject to certain restrictions, include students over 21 years of age in their regular school programs. While many provinces have had restrictions on attendance of students over 21, Ontario's restrictions were connected to the number of years a student had attended secondary school. This number was limited to seven years, with no reference to age. The proposed amendment will introduce an age restriction, and students over 21 will be eligible for grants at half the rate for students under 21 years of age.

In Metro, we operate a very large adult education program. To date, most of our adults did not fall into the provincial restriction of seven years in secondary school because most of our adults had not attended school in Ontario or Canada. Through the recession years, our adult population increased as people attempted to upgrade or acquire new job skills.



Our collective agreements with our teachers have not treated adults differently as far as working conditions, teacher-student ratios etc are concerned, so changes must be negotiated in our collective agreements. We believe this section of Bill 34 will enable us to develop models of program delivery that could benefit the adults in our education system, and we are looking very seriously at graduation equivalency diplomas or degrees or whatever it's going to be called.

**Cooperative services:** In 1992, the Metropolitan Toronto School Board Task Force on the Funding of Public Education recommended that the boards in Metro enter into cooperative services in six different areas in the operation of our school systems to effect cost reductions. Subsequent to those recommendations, a task force was established in Metro by the Ministry of Education and the Metro public and separate school boards to further pursue cooperative initiatives.

To date, the Metro public boards have succeeded in implementing a cooperative assessment review office, which has contributed to an increase in tax revenues of \$4 million, as well as allowing the area boards to eliminate that operation and thereby save significant amounts of money; a cooperative direct gas purchasing arrangement; and a cooperative purchasing and warehousing structure which will reduce staff in the area boards from about 260 to 60 in the co-op and will allow us to consolidate six warehouses into one.

Rather than the proposal before us in Bill 34, we would prefer that this section of the legislation mandate cooperative services since, in many cases across the province, public and separate school boards have been unwilling to enter into such cost-saving agreements.

We would like to have significant discussion with the ministry to offer our advice and experience before such mandatory legislation is developed.

**Sick leave entitlement:** This part of Bill 34 repeals the section of the Education Act that deals with sick leave entitlement, though in reality this is again a board-by-board issue. Most teacher collective bargaining agreements contain clauses dealing with sick leave and the accumulation of sick days. These issues will have to be dealt with through collective bargaining.

In closing, let me summarize our position on the crucial issue of provincial pooling as it applies to section 4 of this legislation.

We recognize that a process of change in Ontario's education system is under way and we are willing to work cooperatively to achieve efficiencies, but we will not accept provincial pooling of education tax dollars as an approach to meeting the government's overall fiscal objectives.

If we voluntarily give up education dollars to the province, our ratepayers may sue us. If we are forced by legislation to hand over education dollars, we will sue the province on constitutional grounds.

We are willing to work with the province to explore alternative solutions, not just regarding financial matters but on a whole host of education issues.

We must be satisfied that the best interests of the ratepayers of Metropolitan Toronto are being maintained before we enter into any agreement with the province.

Our school board has always been willing to work with whatever is the government of the day to resolve issues affecting education in Ontario and Metro. We would very much appreciate that opportunity now to meet with the government to explore options before the legislation in Bill 34 is sent for third reading. We believe this legislation, if implemented as it stands now, will be detrimental to parents, students and ratepayers in Metro Toronto and indeed across the province.

We'd be pleased to elaborate on any of the issues discussed in this statement, and we will pass you around — there are just a few selected boards there but we can provide the information board by board across the province.

1630

**Mr Patten:** Good afternoon and welcome to the committee. Good to see you again. It's too bad we only have two minutes because we could talk for a long time. I like your documentation here. I think it's fairly sound. I have a board in my home town that is facing a similar situation in terms of the request to return money to the so-called equalization payment, which of course is a payment that leaves education totally, as you know. I am intrigued by your suggestion that if savings were identified along the lines of being a good citizen, of gathering resources, you would be prepared to return to the Metro taxpayers that portion of the money, which sounds to me like a very good strategy.

The government says it wants to see taxes reduced. Here is an example of it. Have you had any discussions with the ministry or the minister's office regarding that particular option?

**Ms Vanstone:** In any situation like this, we would of course prefer to return the taxes to our taxpayers and we think we're in a very unusual situation in Metro because of the devastation to the tax base.

Our position right along has been that we don't expect to be treated any differently than any other board in the province. If there are cuts that have to be done, we know we have to do them and we certainly did that during the social contract with an arrangement with the government of the day. We would prefer to turn them over to the Metro taxpayers. That hasn't been a serious discussion between us and the province. It wasn't something the former government contemplated during the social contract, nor was it contemplated by this government in our discussions with them in the late fall and early winter.

Our position is very clear. We feel in grave jeopardy if we raise up property tax dollars and send a cheque to Queen's Park. There are mechanisms that can be used so that this is avoided.

**Mr Patten:** Ms Vanstone, in terms of the last question, because of time, in terms of the general agreement you had, which I gather is no longer in effect, what was it about the memorandum of settlement that was not satisfying to you?

**Ms Vanstone:** We had two clear conditions. One was that we needed to have the tools to take the money to reduce our expenditures. Those tools of course weren't forthcoming. You will recall that in the social contract we had the Rae day tools, those kinds of things. The second was that we needed mandatory legislation because of this

voluntary thing. We needed mandatory legislation that was designed for this specific purpose, and when we saw Bill 34 — we didn't see it until the day after it was presented in the Legislature — that just did not meet our requirements in any way.

**Mr Tony Silipo (Dovercourt):** The briefing notes we have, or the explanatory notes from the ministry, reiterate of course this point that the minister has been making, that the provisions around transferring property tax dollars from Metro and Ottawa to the province is just an enabling provision, that there's no requirement. But then they go on to say that in their fiscal plan they have assumed that the recovery will take place. In fact, they've calculated almost \$47 million from Metro Toronto and almost \$5 million from Ottawa and say that if that doesn't happen — that's the share of the \$400 million — then other boards are going to have to pick up those amounts and somehow that creates a great inequity.

You're being very clear in what you're saying here, that the way the legislation is written now is going to cause a problem either way. Is it a fair conclusion from what you're saying, that really what should be done with this portion of this bill is just for it not to proceed until and unless you've managed to come to some agreement with the ministry about how this issue should be handled?

**Ms Vanstone:** We have to look very closely at the kind of legislation we need. We certainly don't want, nor I guess does anybody, to be spending public money all the time hiring lawyers — the only people who seem to win then are the lawyers — but we're in a tough spot on this one. Our original agreement with the minister was that we had 15% of the enrolment in the province of Ontario, that we would assume our share of any reduction, were it to go into the provincial pot, would be 15%. My understanding is that the total amount now, since capital is out because of a capital freeze, is around \$230 million, so our share of that would be more like \$30-odd million.

I think, however — I was going to call you Trustee Silipo —

**The Acting Chair:** Good old days.

**Interjection:** Now he's just trusted.

**Ms Vanstone:** We would assume our share would be something like that. We really do want to have some discussions about this assessment reform. That's why I say that we really need to talk about everything — assessment reform. If we continue to take this kind of hit every year, this tax base, there is not very much defence of the tax rolls in Metropolitan Toronto and the crumbling is quite dramatic. Oddly enough, I gather it's beginning in Ottawa too. Something has to be done about that. We think that all the issues need to be discussed. To answer your first question clearly, however, this portion of the bill would have to —

**The Acting Chair:** Thank you very much, Ms Vanstone, if I can turn it to the government and Mr Pettit.

**Mr Trevor Pettit (Hamilton Mountain):** Mr Chair, I've opted to defer to the member for Scarborough Centre.

**Mr Dan Newman (Scarborough Centre):** Thank you fellow member. My question is: Does pooling exist within the Metropolitan Toronto School Board right now?

**Ms Vanstone:** Yes.

**Mr Newman:** It does.

**Ms Vanstone:** The pooling that exists within the Metropolitan Toronto School Board was introduced by legislation in 1954. The pooled taxes remained under the control of the locally elected people.

**Mr Newman:** What you're saying is there are some areas that receive more than what they put in within Metropolitan Toronto?

**Ms Vanstone:** A lot. The question here clearly is, who maintains control of the property tax base? Is it the province that has control or locally elected people?

**Mr Newman:** Sure, but what do the ratepayers say in the assessment-rich areas within Metropolitan Toronto, knowing that part of the money that is collected in their municipality goes to other parts of Metro?

**Ms Vanstone:** I feel I've been around almost forever, but I wasn't around when this legislation was introduced. My understanding of the ratepayers at the time was that they were not very happy with it and there was significant quarrelling and resistance to it, and there is still some significant anxiety in certain boards around that. The so-called "have" boards are sometimes not very happy about that, and neither are the ratepayers, but the Municipality of Metropolitan Toronto Act created a situation that gave the authority to locally elected people, and that's where I think the difference is.

1640

**Mrs Helen Johns (Huron):** When we look at education reform, I think the most important issue to look at is the student. In this particular case, I come from a board that's a very poor board and we spend \$4,500 to \$5,000 dollars on our students, and you spend approximately \$9,000, maybe \$8,000 per student. Tell me how you can rationalize that inequity in the funding of our children in Ontario.

**Ms Vanstone:** One of the things we've been about in Metro in the last four months, coming out of the ed finance reform task force, is to identify our per-pupil cost, tear apart the numbers, and examine why our costs are higher and what they're being spent on. I will be certainly happy to send this document to all of you. There are three major areas that we identified in Metro. For the purposes of the Golden commission, this is in general a comparison between the Metro boards and the GTA boards: York region, Durham, Halton and Peel, and the boards within Metro. In general, the three areas that we've discovered, \$241 per pupil was the assessment base; English as a second language, which is a tremendous overrepresentation in Metro, is another approximately \$400. That's \$641. Compensatory education, Metro compared to the GTA boards, is approximately \$300. The area we have identified that is significant for us, and we have to examine it and find out why it's so significant, is custodial — what do you call it?

**Mr Don McVicar:** Custodial building maintenance.

**Ms Vanstone:** Custodial and maintenance of our buildings is exceptionally high, and that's going to be a major area we examine.

**Mrs Johns:** But \$4,000 worth per student?

**Ms Vanstone:** What I've identified between Metropolitan Toronto and the GTA boards is a little over



\$1,000 in difference, but our study has been for the GTA boards. We'd be happy — I don't think any of the other boards have been analysed.

**The Acting Chair:** Thank you for the presentation. Before we go to the next presentation, Mr Wildman has a question of the research officer.

**Mr Wildman:** I would like to get some information from research: what the effects would be if the government were to require the Metro Toronto boards only to spend what the Huron county boards spend, which I think is what Ms Johns was proposing. The other question I have for research is, the pooling that occurs within Metro, can we get assurance that money is both controlled locally by locally elected people and goes to education rather than hospitals, social services or roads, where this money may go since it's going into the general revenue fund?

**Mr Ted Glenn:** Could you rephrase the question just one more time, please?

**The Acting Chair:** Could you rephrase the second question, Mr Wildman, please?

**Mr Wildman:** I just want to have assurance that the pooling Mr Newman was referring to in Metropolitan Toronto of education dollars raised from the local tax base actually goes to education — say from Etobicoke to Scarborough — as opposed to this proposal in Bill 34, which would allow it to go into the provincial general revenue fund and then it could be used, not just for education but for roads, social services, health care, whatever.

**Mr Glenn:** All right.

ONTARIO TEACHERS' FEDERATION  
FÉDÉRATION DES ENSEIGNANTES  
ET DES ENSEIGNANTS DE L'ONTARIO  
ONTARIO PUBLIC SCHOOL  
TEACHERS' FEDERATION

**The Acting Chair:** We'll move to our next presentation. There's a one-hour allotment and there are two groups. The Ontario Teachers' Federation, please come forward. Welcome to the committee, and perhaps you could advise us how much time your presentation will take so we'll know how much we have left for the Ontario Public School Teachers' Federation, which is sharing your time, so we'll know how to allocate it.

**Mr Ronald Robert:** Maybe we could go on for the first 40 minutes.

**The Acting Chair:** So about 40 minutes for this one, which will also include time for questions if you choose to allow that. Please go ahead and introduce yourself and the other members here with you.

**M. Robert :** Il me fait plaisir de vous présenter, avec moi aujourd'hui, les deux personnes de la Fédération des enseignantes et des enseignants de l'Ontario : M<sup>me</sup> Susan Langley, secrétaire-trésorière de la Fédération, ainsi que M<sup>me</sup> Ruth Baumann, adjointe administrative à la FEO. Mon nom est Ronald Robert. Je suis le président de la Fédération. Je vais commencer avec une introduction.

La Fédération des enseignantes et des enseignants de l'Ontario représente plus de 530 000 membres oeuvrant dans les écoles publiques et séparées de langue française

et de langue anglaise de la province. Nos commentaires portant sur le projet de loi 34 ont l'appui des cinq filiales de la Fédération : l'Association des enseignantes et des enseignants franco-ontariens, the Federation of Women Teachers' Associations of Ontario, the Ontario English Catholic Teachers' Association, the Ontario Public School Teachers' Federation and the Ontario Secondary School Teachers' Federation.

La partie I du projet de loi 34 propose une série d'amendements à la Loi sur l'éducation. Pour plus de clarté, nous avons réorganisé par thème la présentation des amendements déposés par le ministre de l'Éducation et de la Formation.

Le comité trouvera cette réorganisation par thème dans la première colonne de notre mémoire. La colonne du centre fournit le texte des amendements proposés et/ou le texte des sections de la Loi sur l'éducation qui sont affectées par les amendements. Dans la partie I du projet de loi 34, les amendements proposés ainsi que les commentaires de la FEO portent sur les thèmes suivants : (a) les mesures de coopération ; (b) la maternelle ; (c) l'éducation des adultes ; (d) les congés de maladie ; (e) les paiements de péréquation.

Les parties II et III du projet de loi 34 sont très brèves et ne sont pas directement reliées à la Loi sur l'éducation. La FEO ne fera pas de commentaires sur ces deux parties.

Bill 34 will have a significant impact on the lives of teachers in the publicly funded education system in Ontario. OTF is compelled to state that it is troubled and concerned that the federation and its affiliates have been given little time to present their views on this important piece of legislation. The Ontario Teachers' Federation cannot begin the present brief in response to Bill 34 without expressing its concern about the method of consultation afforded to the teachers' organizations.

Bill 34 has issues of major significance to the 130,000 members of OTF. It has been the past practice of the Legislature that OTF and the affiliates each are given time to present their views and issues during committee hearings. This has not been the case for Bill 34. We believe the decision to give OTF and the affiliates one hour in total for response to Bill 34 is unacceptable. We further request that the representatives of all three parties meet with OTF to discuss ways to ensure that the time given in future is fair and adequate.

No member of OTF or of this committee can deny the importance of quality education for each and every citizen of this province and for this province as a community. Ontario and its citizens have the right to and deserve an education system which is of the highest quality. Affordability of education in Ontario is a worthy objective, but it must not be achieved at the expense of its quality. OTF believes that little thought or analysis has been given to the negative impact that many of the proposed amendments in Bill 34 will have on the quality of education in Ontario.

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OTF is confident that a high quality education system for Ontario is a priority for every member of this committee. For that reason, we urge each and every member of the committee to give serious consideration to the



comments of OTF presented here today and/or contained in this presentation.

Part A, page 1: The Ontario Teachers' Federation conditionally endorses the amendments of Bill 34 enabling school boards to enter into cooperative agreements with other school boards and/or other public institutions. Such agreements would permit a more rational sharing of facilities, equipment, transportation and a number of other support services, no doubt resulting in important reductions in education expenditures.

The potential of various employee groups being affected by cooperative agreements clearly exists. OTF believes it is incumbent upon school boards considering cooperative agreements to involve at the outset their various employee groups in the development of such agreements. OTF also believes the following principles must guide the development of cooperative agreements:

(a) The respect of the legal and contractual rights and obligations of all parties involved, including those rights and obligations that have been vested over time.

(b) The priority of people over economics; for example:

(i) Attrition should be the prime vehicle for downsizing.

(ii) The private sector should not be favoured over the public sector for the provision of services; quality and efficient services can be provided by the public sector without the necessity of using public funds to produce a profit for a private employer.

Part B, page 11, junior kindergarten: The Bill 34 amendments related to junior kindergarten will eliminate the requirement for school boards to operate junior kindergarten programs, therefore making the provision of such programs optional. Furthermore, the reductions in the funding of junior kindergarten programs do not leave an option for many school boards, a number of which have already made the decision to discontinue the program. The funding changes are a radical departure from the ministry policy of the past 30 years, which recognizes junior kindergarten students in the same way as all other elementary students.

OTF finds it inconceivable that the government in this day and age would still question the importance and value of early childhood education and ignore the number of national and international studies and reports that clearly indicate that early childhood education programs such as junior kindergarten provide every child with a level playing field of opportunity and experience irrespective of his or her background or abilities.

Based on the evidence from the various studies and reports, OTF believes that Ontario must not allow even a small number of its younger citizens to be undereducated at a time in their lives when the die is cast for their intellectual, emotional and societal development. The work of the Canadian Institute for Advanced Research, headed by Dr Fraser Mustard, in the area of human development makes very clear the importance of early intervention and early support to an individual's life prospects. OTF cannot believe that Ontario would refuse to understand that junior kindergarten programs are important and crucial to the province's societal and economic future.

Governments from Ontario's three political parties have supported the provision of junior kindergarten programs. In 1983, Dr Bette Stephenson, Minister of Education in the PC government of Bill Davis, established the early primary education project, which recommended in 1985 that school boards be required to provide junior kindergarten programs. In 1989, the Liberal government of David Peterson announced that school boards would be mandated to provide junior kindergarten programs. And the existing provisions in the Education Act were established by the New Democratic Party government in 1993.

OTF believes the Bill 34 amendments related to junior kindergarten will negatively affect the lives of Ontario's children. Therefore, OTF requests that this committee urge the government to maintain in the Education Act the requirement for school boards to operate junior kindergarten programs and to maintain, at the least, the existing level of funding for such programs.

I will now call upon Susan to continue with the other parts of the presentation.

**Ms Susan Langley:** If you would turn to page 14, section C, adult education: Bill 34 amendments pertaining to adult education will have a negative impact on the availability of, access to and quality of the adult education programs being offered to meet the needs of over 80,000 daytime students aged 21 and over.

The need for and success of adult education programs in Ontario is very well established. OTF believes the success of these programs is due to the fact that the publicly funded secondary schools best meet the needs of the adult students in these programs.

Some of the amendments in Bill 34 reduce the funding available for adult education programs and cause their elimination by some school boards. Other amendments will allow school boards to prevent adult students from attending regular day school. This will result in large numbers of young adult citizens, including single parents on family benefits, immigrants who need upgrading, and the many who need a second chance to become fulfilled and productive citizens, being denied access to quality programs that meet their needs and that are offered by trained and qualified professional staff.

OTF believes it is critical and important to Ontario's societal and economic future to maintain and adequately fund the adult education programs being provided in this province's publicly funded secondary schools. Adult education has been and must continue to be an important component of a high quality education system in Ontario. For that reason, OTF requests that this committee urge the government to remove from Bill 34 all those sections that have the effect of lowering adult education funding and that allow school boards to prevent adult students from attending regular day school.

Page 18, section D, sick leave: OTF strongly opposes the Bill 34 amendments which pertain to sick leave. These proposed amendments will delete the statutory entitlement of teachers to any sick leave with pay without offering any replacement. Sick leave is a particularly important entitlement for teachers because every day they work in an environment which exposes them to sources of infection, illness or disease.

Sick leave plans are not unique to education. Large numbers of employees in other professions, in community and health services and in industry, benefit from comparable sick leave plans. Clearly this set of Bill 34 amendments is perceived by teachers as a vindictive action by the government against a particular group. It does nothing either to achieve savings or to create the healthy climate necessary for the delivery of quality education in Ontario. OTF therefore requests that this committee urge the government to withdraw the Bill 34 amendments on sick leave provisions.

Page 21, section E, equalization payments: OTF is aware that on this issue its affiliates have varying and at times differing opinions. As the umbrella organization, OTF will not be commenting on this part of Bill 34.

1700

**Mr Robert:** Page 23: The federation is confident that the committee will give serious consideration to the comments of this presentation. OTF concludes by restating its belief that the affordability of education is a worthy objective but that it must not be achieved at the expense of its quality, for the sake of Ontario's children and adults and for the future of this province.

Avant de passer aux questions, j'aimerais porter un autre chapeau, à titre de président sortant de l'Association des enseignantes et des enseignants franco-ontariens, où je vais vous parler de deux problèmes particuliers que nous avons, comme francophones, avec le présent projet de loi.

Notre problème majeur avec les maternelles n'est pas avec la partie du projet de loi qui rend facultative la prestation du programme de maternelle. En effet, 99 % de nos écoles francophones avaient des maternelles avant qu'elles ne soient obligatoires. Notre préoccupation tient au fait que les réductions de subventions rendent leur métier précaire, non seulement à cause de la réduction qui affecte tous les conseils, mais aussi parce que les conseils scolaires de langue française sont particulièrement pauvres au niveau du pouvoir de taxation locale.

Nous soutenons que ce programme est important pour les francophones car il ajoute une année d'apprentissage linguistique et culturel en français. Sinon, nous perdons une année, ce qui rendra encore plus difficile l'apprentissage de la langue française en milieu minoritaire.

Les francophones de l'Ontario furent permis les premiers à instituer les maternelles justement à cause de leur importance culturelle et linguistique. L'utilité des maternelles pour les minorités linguistiques est d'une importance capitale pour assurer le meilleur départ possible à l'apprentissage. Nous craignons que les chances de succès des jeunes francophones seront diminuées avec la réduction du financement et l'abolition éventuelle des maternelles. Déjà, les résultats aux tests provinciaux démontrent que les jeunes francophones ont une bonne cote à remonter. Ce projet de loi n'offre aucun espoir aux francophones de notre province.

L'éducation des adultes : Lors de notre présentation devant la Commission royale de l'Ontario, l'AEFO affirmait les points suivants :

On doit également se féliciter des progrès réalisés en ce qui concerne la formation des adultes. Grâce en grande partie à l'accueil et à l'appui reçus au cours d'éducation

permanente, des adultes de tout âge ont vu leur rêve se réaliser en se présentant à leur propre remise de diplôme.

Plusieurs femmes ont pu également se recycler et contempler un retour dans le monde du travail. Ces succès ne doivent pas être passés sous silence. Au contraire, on doit élargir les possibilités d'éducation aux adultes pour la rendre plus facilement accessible et diversifiée.

Devant le rapport Accords qui fait état du taux élevé d'analphabétisme chez les francophones en Ontario, un nombre accru de cours d'alphabétisation doit également être offert en français dans tous les coins de la province. Ceci accélérera l'objectif d'alphabétisation globale qui permettra à toutes nos citoyennes et à tous nos citoyens de s'épanouir pleinement.

Encore une fois, ce projet de loi rendrait la tâche plus difficile pour les adultes francophones. Tous les programmes pour les adultes francophones sont en voie d'être fermés. La récente création d'écoles secondaires francophones a contribué grandement à réduire le taux d'analphabétisme chez les francophones. Cependant, un bon nombre d'adultes qui ne les avaient pas fréquentées et des jeunes en raccrochage utilisaient le programme subventionné pour se recycler vers le marché du travail. L'abolition des subventions à ce programme coûtera autant, sinon d'avantage, à la province en frais de bien-être social et autres coûts sociaux. Une population qui n'est pas suffisamment éduquée coûte chère et ne rapporte pas de dividendes au trésor provincial.

Le projet de loi 34, tel qu'il est présenté, réduira de façon significative les occasions pour se prendre en main. L'AEFO vous demande de ne pas faire une décision aveugle en ce qui concerne ces deux programmes. La question francophone mérite une attention particulière, et c'est avec cet empressement que nous vous demandons de le faire.

**Mr Wildman:** I'd just like to concentrate on the two major issues, as they relate to students, of teachers in this province, that is the effects of this legislation on early childhood education and adult education.

The minister in his leadoff said this legislation was to help schools do better with less. He said there would be reductions outside the classroom and not in the classroom, that 47% of spending by boards takes place outside the classroom. Since he's not here, I want to put this forward so you know what he had to say. He also said the strategy is for excellence, accountability and affordability in education.

Having said that, how do you respond to his comments about reductions being outside the classroom, doing better with less, as it relates to early childhood education and junior kindergarten, both for anglophones and francophones in this province?

**Mr Robert:** I think junior kindergarten is the classroom and the fact that the minister is putting these ideas forward is fine, but as we said in our brief, we have to want to maintain the quality of education and to make sure we are doing the sound decisions. I would say right now that the minister is running after the dollar, the bottom line, rather than the quality of education and the negative impact it will have on students. It is clear in Ontario, not only the francophone students but also the



young anglophone students, that we need a level playing field and junior kindergarten provides that. By abolishing the financing, it's clear what's going to happen across the province. We've got an example that there are already 24 boards that have decided to cancel.

**Mr Wildman:** In regard to that, the minister was very careful to point out that the Conservative government is only carrying out the Tory commitment in the election campaign to make junior kindergarten optional. The term he used was "to restore" the junior kindergarten program as an optional program. How is it that 24 boards, most of whom have had long-standing junior kindergarten programs, are not taking up the option to continue that program?

**Mr Robert:** I'll let Ruth handle that.

**Ms Ruth Baumann:** If I can go back to the earlier part of your question and get to the latter part in doing so, I think part of what's happening with this legislation is that junior kindergarten and programs for adults are being redefined as outside of the classroom. That's part of what we see happening, because in fact —

**Mr Wildman:** They take place in a school yard?

**Ms Baumann:** Junior kindergarten students have been recognized for funding purposes in all of the time of optionality in the same way as full-time equivalent students, half-time, if it's a half-time program, as grade 3 students or grade 4 students or grade 5 students. In the last few years there has been an incentive program for junior kindergarten, but the historic funding of JK programs, going back at least 30 years and as far as we've been able to figure out, we think all the way back to the Second World War, when junior kindergarten programs first began to appear in the province, was that if a board offered junior kindergarten, those students counted as full-time equivalent students. They are now defined outside of that full-time equivalent student base on which the funding is done.

The same thing is being done with the adults over 21 who were previously counted if they were enrolled full-time or part-time, as full-time or full-time equivalent students for the board's overall funding, and now will be hived off into a completely separate category and treated to a separate rate of grant.

**Mr Wildman:** Finally, the adult education —

**The Acting Chair:** Time. If we can now move to the government members for their four minutes.

**Mr Pettit:** Thank you very much for your presentation. I take it you're aware of the current fiscal situation of this government, in terms of \$100-billion debt and \$10-billion deficit. I assume you're aware of that.

**Mr Robert:** Yes, and I take it you're aware that we did not realize this deficit overnight; it was done over a 40-year period.

1710

**Mr Pettit:** Given the fact that health care and interest to service the debt take up roughly 50% of the government's budget, it would seem to me that education is obviously the next place, if not the first place, we have to look at to make cuts. Would you agree with that?

**Mr Robert:** I would say you have to be very careful how you're going to go about making the cuts and that

you just can't use the shotgun approach, and I think that's what we've done in this case.

**Mr Pettit:** But would you agree that we do have to look at education, given that the two I first mentioned are fixed costs for the government?

**Mr Robert:** I say yes, they are, but we also have to be careful how we go about doing it.

**Mr Pettit:** Given that, I'm just wondering what the OTF is prepared to do, if anything, to be part of the solution.

**Mr Wildman:** You're the problem, in other words.

**Mr Pettit:** No, I'm not suggesting that. I'm just asking, what are you prepared to do? What would you do specifically, then, to make the necessary reductions?

**Mr Robert:** To answer the beginning of your question, I'd first of all start by saying you cannot go about doing the business you want to go about doing without trying to establish a climate in the province of Ontario to see what can come out of discussions; right now you have not. The government's approach has been, "Let's get on the steamroller and let's roll, because we made a promise and we want to be elected the next time." That's the direction this government has taken right now.

What advantage do we have, can you give us right now to say, "Yes, it's worthwhile for us to sit down and talk with you; yes, we're going to try to do some things differently but better"? Right now, you're not giving us even that option, you're just saying, "We've got to meet the deadline, and we're moving on." The sick leave provision is a clear example.

**Mr Skarica:** I just want to address the lack of meetings that you allege. You'll recall I met with you on short notice just before the College of Teachers amendments were considered. I wanted to tell you that many of the amendments that were made were as a result of meetings and recommendations that you made, and I personally found them very helpful. I'm going to encourage you to get together with us more often, because the door is always open. For me, I have to tell you that it was a matter of personal disappointment that the first meeting with the minister was only 10 minutes and there was another one cancelled due to the protest days. I think it's to all our benefits to open up the lines of communication.

But I do take issue with the fact that you blame it on us, because I suggest that some of the blame has to rest with you as well. As I've indicated, when we have met with you, and myself personally with the College of Teachers, I've found the meetings very helpful. Many of the amendments came as a result of the materials and discussions that we had.

**Mr Robert:** I'll let Ruth give an answer to that because she's been the political adviser for OTF for quite a few years, and so she's got a better background of some of this information.

**Ms Baumann:** Actually, it's a combination of Mr Skarica's question and Mr Pettit's question I want to get at. We met with representatives of the ministry quite early in the fall around the question, for instance, of junior kindergarten. We were not consulted similarly around the adult education question. Our answer was very clear about junior kindergarten. We knew cuts were



coming, and we knew there would be cuts. We don't have to be happy about them. We said clearly to the government at the time, to the representatives of the ministry, that we did not think the junior kindergarten program should be singled out. Would we suggest, for instance, cancelling grade 5? No. Or grade 10 English? Nobody has it any more.

I think there's a valid comparison to be made there, both with the provision of programs for JK and the provision of programs for adult learners. What has happened in this legislation that we're here before you on today is major changes for both of those groups of learners that are not dissimilar to what it would be like to decide tomorrow that we didn't need school for 10-year-olds for that year any more, thank you very much.

**Mr Miclash:** I want to go back to page 2 of your presentation, where you say, "The priority of people over economics...attrition should be the prime vehicle for downsizing." I have to say this has been a major issue in a community in my riding where 55 separate school board teachers were advised by letter earlier, two weeks ago — 55 out of 87 — that they would be redundant. This has really put a wrench into the system in Kenora, where they're suggesting that 55 of those teachers will not have jobs come September. Is there a better way of doing this?

**Mr Robert:** The question is not an easy one, and I don't think there's one suitable answer for all of the areas of the province, because everywhere it's a little different, and so we have to be careful when we go about doing this.

We've been in a downsizing mode for three years in Ontario. We've lost 7,000 teachers in the last three years, through the social contract. Now we're going through another phase and people seem to be duffing it off as though boards are overdoing it, but I'm going to say this right now: We've never seen, never in the province of Ontario, so many pink slips being handed out. It's a normal process, yes, but not the numbers we're seeing now, and to simply say boards are doing it on purpose and everything will fall into place — it won't just fall into place. We'll see in September. We know it won't be the same.

**Mr Miclash:** In terms of the loss of teachers over the next two school years, what is your estimate in terms of the additional loss of teachers? You mentioned 7,000 through the social contract. How many more are we going to see?

**Mr Robert:** This year we'd estimate in between 4,000 to 7,000 maybe in the first year and then depending what's going to happen after that, but the other thing we have to look at — this is where it becomes important for us to stop and look before we make the next step — is, what's the impact on different localities. I know there are teachers in my area who are teaching with 35, 36 kids in the classroom, and these are kids with integration. In other words, where we had special-ed classes for these students who were identified, they are now in the regular classroom. The services to help these children and to help the teacher are no longer there, and that's a reality.

You're saying, "Oh, yes, but then we're going to do this and do this," but the teacher cannot. When you have

35 kids and there are kids who have — I think if you take time to read Fraser Mustard, *The Importance of an Early Beginning*, it becomes more important for us to make sure we maintain junior kindergarten programs and early childhood education to help the child out. As teachers, the morale has never been any lower, and I don't think it's going to get any better.

**Mr Miclash:** I thank you for those comments then. You mentioned the morale of — excuse me. Popcorn.

**Mr Robert:** It's a choking issue all right.

**Mr Miclash:** Yes, it's a choking issue. I shouldn't have had popcorn for lunch.

I'd just like to thank you for your comments and note that it's not been necessarily an issue just for teachers alone, but I attended two schools last Thursday where the students had left the school, of course, to protest what they know is coming in terms of the cuts, as well, to their system.

**The Acting Chair:** The next part of the presentation is the Ontario Public School Teachers' Federation. Please come forward. We have about 20 minutes for your part of the presentation, which will include, of course, any time that you may leave for questions or comments by members of the committee, so if you can please introduce the members there with you and begin the presentation.

**Mr Reg Ferland:** Thank you, Chair, and thank you to the committee for the opportunity of presenting our thoughts and comments before you. With me today to my immediate left is the secretary-treasurer of the Ontario Public School Teachers' Federation, Dave Lennox; and to his left is Vivian McCaffrey, our government relations officer, and I'm Reg Ferland, the president of the Ontario Public School Teachers' Federation.

You have a copy of the brief and the history of the federation before you, so I will not take any of my time to review that. It is there before you for your perusal.

Bill 34 cannot be discussed without also examining the impact of the \$400-million cut in the 1996 transfer payments to school boards. The \$400-million reduction in transfer payments will actually amount to an \$800-million reduction in school board budgets over the 1996-97 school year, and this amount cannot be extracted without seriously affecting the classroom, no matter how you define it or try to circumvent it.

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I would like to point out that this round of school board cuts is coming following four years of downsizing and cuts to programs. Boards began seriously cutting not just administrative budgets but also staffing and programs in 1992 when they received less than inflation increases in transfer payments. Then followed the social contract and the expenditure control program.

It is irresponsible of the provincial government to continue to mislead the public about the so-called fat in the system and to publicly promote teachers' compensation and working conditions for further cuts. The federation has reports from 35 public school boards to date, which indicate that 2,988 elementary teachers have received layoff notices. While a few boards have rescinded these notices and others will ultimately be rescinded once boards confirm the numbers of retiring teachers, these data forbode an unprecedented reduction in school

staffing which will mean larger class sizes and a reduction in programs — clearly no choice.

Preliminary data regarding school board budgets indicate that cuts in elementary teachers will be the result of eliminating junior kindergarten, reducing teacher librarians, curriculum consultants, speech teachers, English-as-a-second-language teachers, and special education teachers and consultants. Cuts to elementary programs include the elimination of elementary music, design and technology, outdoor education and swimming programs.

Boards are also eliminating noon-hour supervisors and drastically reducing the numbers of teaching assistants, educational support personnel, occasional teacher use, staff development budgets, and custodial and secretarial positions. The loss of these positions and programs will mean significant additional responsibilities and stress for classroom teachers and, as important, in many cases, a reduction in program and professional support for students.

The federation is also alarmed at the number of school boards which are moving to twin schools or to assign responsibility for two schools to one principal in order to reduce the number of principals. School safety will be compromised as fewer adults are available to provide appropriate supervision, and teachers lose the backup which the on-site administrator has provided in the past.

School boards are faced with difficult choices, and a number of the boards have been forced to pass on the cuts in provincial funding to local ratepayers. Page 4 of our brief provides a preliminary look at public boards which have passed 1996 budgets which include a mill rate increase.

Of particular concern to OPSTF is the government decision to cut \$110 million from the junior kindergarten budget and to make the program optional. The change in funding for JK, as well as the overall cut in transfer payments, is making the so-called option a limited one indeed. The government has proceeded with this policy in spite of acknowledging the value of early childhood education programs.

Appendix A of our brief outlines the status of JK among public boards, of which the federation is aware as we speak. The fact that as many boards as are listed have in fact decided to keep JK is a testimony to the importance attributed to the program by parents and by educators. Many boards which have decided to continue JK have only been able to do so by digging into financial reserves, cutting other programs, raising student-teacher ratios and/or raising local taxes.

Bill 34 also repeals the provision of the Education Act which establishes that teachers shall have 20 days of sick leave annually. This provision is an example of the government's blatant targeting of teacher benefits in order to divert public attention from the impact of the government's funding cuts. Teachers are an easy target for a government desperately seeking ways to reduce public expenditures.

We have in our brief a chart which identifies other professions and their sick leave days, and also we make reference to the percentages of days used by teachers across this province and one will quickly see that it is a very minor number.

Leading up to the toolkit announcement, the government did its best to get public support in its attack on teachers' salaries, teacher preparation time and sick leave benefits. In addition to manipulative opinion polling and focus group testing, the Minister of Education and Training has adopted the strategy of organizing set-up questions in the Legislature to provide him with a platform to publicly attack teacher seniority, retirement benefits and the teachers' pension plan.

**Mr Wildman:** Surely not.

**Mr Miclash:** They wouldn't do that.

**Mr Ferland:** That's the way I see it on TV.

Then an outline on page 9 of our brief demonstrates that teachers do not abuse sick leave, nor do they have an unreasonable entitlement. In past years boards have failed to adequately fund teachers' retirement benefits, and the government, which has placed school boards in a financial squeeze with funding cuts, is attempting to relieve that pressure by giving the boards the tools to strip teacher benefits.

Finally, I would like to speak to the issue of the provincial tax grab from Metro Toronto in Ottawa. This move is provincial pooling through the back door and is being done without province-wide reform of education finance and without full public debate.

In conclusion, Bill 34 proposes to weaken the three fundamental cornerstones of public education: junior kindergarten, adult education and the autonomy of local taxation. This targeting of two programs at either end of the system is a cynical move designed to anger the fewest number of people and thereby create the least possible political heat. It is shortsighted politics.

Young children will lose the long-term benefits of an early childhood program, and adults will have less opportunity for education and training to ensure a future for themselves where they can make a positive contribution and be a valuable contributing member of this society.

It is an equally cynical move to target the two urban boards in a negative grant situation and to force their ratepayers to fund other school boards in the absence of rational and province-wide education financial reform. The funding cut to education and the provision of Bill 34 represents a significant restructuring of education. It is proceeding too quickly. There has not been adequate analysis of the impact or sufficient public debate.

It is quite apparent that a majority of concerned citizens are quite leery of the reduction of provincial taxes that we are expecting in the next few days if these taxes are taken away from the very foundation of society that they believe in, such as education. Once again, students of this province are being used as pawns.

We urge the government to reconsider Bill 34, to extend the time lines and to remove the punitive aspects to education and the teachers of this province.

At this time, Chair, we will gladly entertain questions.

**Mr Wildman:** Thank you very much for your presentation. The minister in his lead-off remarks said that he was opposed, and the government is opposed, to having local boards make up the differences in cuts through local taxation, and yet on page 4 of your brief you list a preliminary list of boards that have indicated mill rate increases. I see there Hamilton 3.16, Lincoln 2.9, Niagara



South 2.8, Sudbury 5.6, and west Parry Sound 3.6. Those are significant tax increases.

Would you, as a representative of a teachers' federation, take the position that boards are being irresponsible in moving in this direction rather than making deeper cuts to children's education?

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**Mr Ferland:** No, I would not take that position; I would take the opposite view, that trustees who were elected on the basis of delivering quality education to their students are now realizing that it is impossible to do so without affecting the quality of education in the classroom. Despite the request of the minister and the government not to go to local taxation, they have turned to their only resource — since the government is reducing their grants, to continue to provide some programs which are acceptable as a standard they have gone to their tax base — and that's the taxpayer.

**Mr Wildman:** So in essence, the income tax cut will be eaten up by property tax increases in many areas.

**Mr Ferland:** That would be my estimate as well in many of the areas across this province.

**Mr Wildman:** The only other question I have is in regard to another aspect of the government's position, and the minister reiterated it today. He estimates that 47% of school board expenditures, on average, are outside of the classroom and that these savings — \$400 million, or working out annualized to \$800 million or more — can be made outside of the classroom. Yet you say it will inevitably mean larger class sizes and a number of special-education programs being eliminated. Why is that? He believes it can be done outside the classroom and you're saying it's going to mean larger class sizes and less ability of boards to provide for special needs of students.

**Mr Ferland:** We use straight math; he uses magical math.

**Mr O'Toole:** Thank you very much for your presentation. I have just a quick couple of questions. In 1993, the province required that junior kindergarten be offered. Are there still boards not offering it in the province as a requirement under the act?

**Ms Vivian McCaffrey:** There were 22 school boards, public and separate, that were given an extension.

**Mr O'Toole:** That were still fighting it or resisting it?

**Ms McCaffrey:** They were phasing them in.

**Mr O'Toole:** When I was a trustee, it was the biggest issue. They relentlessly resisted implementing junior kindergarten, even though we'd gone through how it was funded. I just want to establish that.

The other thing is, is there today a provincial curriculum, a set of curriculum guidelines for junior kindergarten?

**Mr David Lennox:** There is the work that had been done in the early years and there is the common curriculum that only goes from grades 1 to 9. There is not a standard curriculum.

**Mr O'Toole:** That answers my question. Thank you.

**Mr Peter L. Preston (Brant-Haldimand):** If we left the status quo, if we didn't make any cuts at all, could you please tell me where you think the money would come from to continue this government?

**Mr Lennox:** My comment to you is that I don't think the status quo is acceptable either. The comment we made was that going this far this fast is not appropriate.

**Mr Preston:** What do you think of a situation where 400 people are given their pink slips, all but 88 are hired back now and probably the other 88 will be hired back for September? What do you think of that scenario? Did that engender a little bit of malcontent in the teaching profession?

**Mr Ferland:** Needless to say, it did.

**Mr Preston:** Yes, it did.

**Mr Ferland:** It's a scenario that did not have to happen.

**Mr Preston:** There were 400 layoff notices, all but 88 rehired already and probably the other 88 will be rehired by September.

**Mr Ferland:** Why did it have to happen?

**Mrs Julia Munro (Durham-York):** You made the comment that the cut is too fast, too deep, and about not going at this reconstruction in an appropriate way. It seems to me that most of the board's moneys are in salaries, somewhere around 75% to 80%. I wonder what kinds of recommendations you would make to reduce the spending, where expenditure reductions could be made, given that salaries take up most of the budget that school boards work with.

**Mr Ferland:** I believe that education is a service — I don't want to use the word "industry"; I just about said that — to the community, and as such we need individuals to present and deliver that service. As far as I know, not too many people in this world work for nothing. When you go to the grocery store you still need money. We deliver a service and we expect to be paid for that service according to our qualifications and the level of service we provide.

**Mr Miclash:** I just want to pick up on the question I choked up over during the last presentation: the attrition and the demoralization that goes on in terms of declaring their redundancy. You will know that I was in education and declared redundant during my first three years, three years in a row, and it goes back to Mr Preston's question: Is there a better way?

**Mr Lennox:** It is a tough question, and there isn't a better way. The problem in the province this time was that because of the timing and shakeout of the announcement, many boards overreacted because they couldn't figure out their budgets. They didn't have the necessary information and as a result — Mr Preston is correct — in Oxford I would say several hundred teachers were declared redundant, up to year 12 on the seniority list. Now they're back down to year seven.

The traumatic experience of that is there. There has to be a better way, but the boards have to have more information to work with sooner so that we can find that better way.

**Mr Miclash:** Is the Ontario Teachers' Federation trying to gather any data on what has happened in education, say, over the last month? I've had throughout my riding maybe four or five schools where students have actually walked out and have missed class time. I made it very clear to the schools I attended last Thursday that there could be consequences for this. Has OTF



collected any data or is it going to around the number of students who have missed classes over misinformation, or as you say the lack of information that's come through to the boards?

**Mr Ferland:** First of all, we are not OTF; we are one of the affiliates of OTF and certainly would make any information we have available to OTF. I believe the issue that you address is more of a secondary nature than an elementary one. Our affiliate deals mainly with the elementary side of it. However, we are aware of the comments you make and of the number of students walking out. If OTF is not behind me here today, we will certainly bring that question to OTF and see if there are some statistics that can be accumulated.

**The Acting Chair:** Thank you very much for the presentation.

#### TAXPAYERS COALITION OF PEEL

**The Acting Chair:** Our next presentation is the Taxpayers Coalition of Peel. Welcome, gentlemen, and if you can please introduce ourselves. You have a half-hour total, which will include any time you choose to leave for questions or comments on a rotation basis from the three parties. You have the floor.

**Mr Blaine Mitton:** My name is Blaine Mitton, chair of the education committee for Taxpayers Coalition of Peel.

**Mr Norm Calder:** My name is Norm Calder, chair of regional and provincial initiatives for the Taxpayers Coalition of Peel.

We want to thank you for the opportunity to appear this evening and to express our opinions as they relate to Bill 34 and any amendments to the Education Act.

**Mr Mitton:** At the outset, we would like to make it clear that this bill does not even begin to reflect the needs for change in education in Ontario. The document is written in extremely confusing legalese, and for that purpose we will seek our own direction on the subject at hand if you will bear with us. We know that somewhere in our statements we will touch upon the contents of the amendments.

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**Mr Mitton:** Ontario will have a \$125-billion debt before we balance the budget.

**Mr Calder:** Ontario does have a \$9.5-billion deficit.

**Mr Mitton:** Ontario must achieve a minimum \$5-billion surplus if we seriously want to pay down the debt.

**Mr Calder:** This province pays about 2% more for borrowed money than if we were debt-free, compared to Japan, which owes no money outside of its own country. They have literally no natural resources, and Canada, which should in this respect be the wealthiest country in the world, is on the brink of bankruptcy.

**Mr Mitton:** Canada has the highest personal debt, a record of 90% of disposable income.

**Mr Calder:** Canada has experienced over 70,000 bankruptcies this past year.

**Mr Mitton:** Canada has the lowest housing starts in over 30 years.

**Mr Calder:** Canada has 9.5% unemployment, and the number is climbing.

**Mr Mitton:** Canada competes with a global market that employs skilled staff making \$6 per day. Look at the big-box stores and see where many of the products are made.

**Mr Calder:** Ontario needs to cut \$3.5 billion from education. Upwards to \$8,400 to educate one student per year is extreme by world comparison — \$840,000 to educate 100 students annually. Imagine the entrepreneur given the opportunity to rent a building, hire two teachers and have them each teach a class of 50, as they did back in our day. What a terrific windfall. Why, one could even pay each teacher far more than by today's standards and still end up with a pot of gold.

**Mr Mitton:** We believe that the job can be done for a maximum of \$500,000, particularly when the infrastructure is already in place. Why is it not done at this cost? In view of the fact that we elect trustees to manage the fiscal aspect of education, it would appear that they are mismanaging our finances and in our view should be eliminated. Private industry would have made this decision years ago.

**Mr Calder:** The Fraser Institute indicates that the average income for people between the ages of 20 to 30 years old has fallen to 72% of their counterparts in 1981, as measured in 1993 constant dollars. That is why our housing starts are so low. Should we really think that this group will pay for our unfunded Canada pension plan or pay for this inflated, out-of-control, self-serving system? Give us a break.

**Mr Mitton:** We have taxed away our ability to create wealth. Our education system is so mediocre that 90% of us never read a good book all year and 1% buys all the worthwhile books. Who do we think is going to work the so-called information society? This may have something to do with our education system. One could believe that more time is spent on the \$1.6-billion video industry than is spent, in terms of time, with our education system.

**Mr Calder:** Our students deserve a better education. We rank eighth in the quality of education when compared to our major competitors, and that is not acceptable.

**Mr Mitton:** Earl Manners, president of the Ontario Secondary School Teachers' Federation, says, "We are totally out of touch with the reality of schools." He is a large part of the problem and far from being part of the solution.

Cut our education costs by \$3.5 billion and we will have a far better, more effective and efficient system that will provide our children with a far better education. Discipline and respect can complement our need to reduce costs. There's absolutely no correlation between spending and results.

**Mr Calder:** The GTA exercise is nothing more than a way for municipal politicians to get around truly dealing with a Metro Toronto assessment problem and our general need to reduce the cost of education to the maximum \$5,000 per student from the present high of \$8,400.

**Mr Mitton:** We need to become competitive and develop a work ethic. There is no free lunch, nor should there be. There are only two main problems that need fixing, and we do not have to reorganize government to fix them.

**Mr Calder:** Number one is to fix the general assessment problem, particularly as it relates to Metro.

**Mr Mitton:** Number two is to solve the high cost of education. Remember, we pay \$840,000 to educate 100 kids. That kind of extravagance borders on fraud to the taxpayers.

**Mr Calder:** We can solve the first problem by employing market value assessment or actual value assessment, but that can only happen if we solve problem number 2, by cutting the cost of education.

**Mr Mitton:** Unfortunately, what with all the politicizing and jousting with the Golden report, they did not even address the second problem, which consumes more than 65% of our property taxes. This would indicate that the report is fundamentally flawed, and that being the case, we taxpayers cannot accept this kind of irresponsible action on their part, nor should we ignore it. It matters not what their mandate was. Where was the good judgement and common sense?

**Mr Calder:** Remember this: We are living today on tomorrow's money. Who is going to be able to afford the costly and overbloated infrastructures of today tomorrow? If we do not handle the debts we have created presently, we will have sacrificed the future of our children. We are all charged with the responsibility to fix today's problems. Who should be held accountable for our collective problems in education?

**Mr Mitton:** School boards can be held accountable, since they are responsible for the overall management of a dysfunctional system which, in the majority of cases, is truly managed and directed by self-serving bureaucracies. Get rid of the boards. Our motto is the ABCs: Abolish boards completely. Not only have we been historically faced with their increasing demands on the public purse; we will now be faced with the effects of their newest approach to financing their continued existence: education development charges. Wow, how creative. What effect will it have on our stumbling economy?

**Mr Calder:** It will restrict growth; reduce our ability to create wealth.

**Mr Mitton:** It will add at least another \$2,000 to \$3,000 to the cost of a new home when, as we have just explained, housing starts are at a 30-year low and incomes are falling.

**Mr Calder:** It will restrict our ability to attract new businesses in the world market. It costs over \$108,000 in development charges to develop one acre of land. That's in Peel. This does not include the cost of a building.

**Mr Mitton:** Education development charges are simply another form of tax, a tax that restricts growth and is in contradiction to the present government policy not to increase taxes.

**Mr Calder:** As stated earlier, we believe the amendments to the Education Act in Bill 34 hardly even scratch the surface of the massive problems that need to be addressed in education reform. It's easy for us to appear here before you to criticize, but that is not why we are here today. We want to be a part of the solution, not the problem. We indicated at the start that we are both members of the Taxpayers Coalition of Peel, but it should be noted that we are unpaid volunteers who achieve their

rewards through creating a better community; no vested interests, so let's cut to the chase.

**Mr Mitton:** What are we going to do?

**Mr Calder:** Cut the cost of education by \$3.5 billion.

**Mr Mitton:** Fix the assessment problem.

**Mr Calder:** What will our benefits be?

**Mr Mitton:** Hundreds of thousands on fixed incomes will be able to retain their homes because property taxes will be more affordable.

**Mr Calder:** An increase in the number of housing starts beyond any previous records, which in turn will stimulate the overall economy.

**Mr Mitton:** Demonstrate to the world that we're indeed maîtres chez nous, masters of our own house, and capable of turning potential disaster into success.

**Mr Calder:** How do we fix education?

**Mr Mitton:** Abolish boards completely. One system can teach reading, writing and arithmetic to all religious and ethnic backgrounds.

**Mr Calder:** Direct one system from a central control at the ministry.

**Mr Mitton:** How will the taxpayer gain?

**Mr Calder:** Half the cost of transportation.

**Mr Mitton:** Elimination of two multi-million-dollar layers of bureaucracy.

**Mr Calder:** Eliminate external libraries. Joe Public should enjoy the use of the more abundant school facilities. More huge savings.

**Mr Mitton:** Elimination and sale of tremendous real estate holdings. Properties that presently house boards are very valuable.

**Mr Calder:** Principals will manage their own operations and be more accountable to the public.

**Mr Mitton:** Ministry to provide a standard curriculum to be taught at each level using a single mythology.

**Mr Calder:** Class sizes can be expanded. This would eliminate the need for the present housing problem of students and eliminate portables.

**Mr Mitton:** Children of all ages can be introduced to a computer at each desk.

**Mr Calder:** Teachers will no longer need to complain of the preparation workload.

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**Mr Mitton:** To illustrate all of the benefits would be a tremendous undertaking. However, we believe you get the picture. Understand that today's education is out of touch with today's world. Our children are not being prepared to compete in the global market because the system is holding them back. We could inspire far more interest in education on behalf of the students. Remember the \$1.6-billion video industry? By giving them the tools of today, this great interest would generate more respect and reduce the rate of crime.

**Mr Calder:** Our aspirations are attainable.

**Mr Mitton:** How can we make a statement like that? Who are we to say it is all attainable? Why? Because it is already happening. The Calgary Board of Education, notwithstanding a \$25-million reduction in its funding last year, produced a \$5-million surplus, and its cost per student was \$5,030. By the way, they fund education through a provincial pool.



**Mr Calder:** The funding issue leads us appropriately to the conclusion of our submission. To recap —

**Mr Mitton:** Fix the assessment problems. Stop doing things bass ackwards.

**Mr Calder:** Reduce the costs of education by \$3.5 billion, a 25% reduction in property taxes.

**Mr Mitton:** Forget the notion of development charges.

**Mr Calder:** Abolish boards completely; we call it the ABCs.

**Mr Mitton:** Direct the system through central control at the ministry.

**Mr Calder:** It all sounds too simple. But then, on reflection, each of the issues in Bill 34 is solved. There could be room for JK. There would be a centrally controlled cooperative financial system. There could be capacity for adult/continuing education programs, day or night, due to larger class sizes. Equalization payments are no longer a problem.

**Mr Mitton:** Who knows, the teachers' sick leave problem may be a thing of the past. Schools may become such a fun place to work they won't want to stay home.

**Mr Calder:** Are there precedents to any of this? Alberta funds education from a provincial pool, New Brunswick funds from general revenues, Manitoba has a single system for all religious and ethnic groups, and the province of Newfoundland, as you're all aware, has recently held a referendum to have one system.

**Mr Mitton:** Yes, it can be done.

**Mr Calder:** Thank you for your attention.

**The Acting Chair:** Thank you very much for your presentation. We have about three minutes per caucus. I'll turn it over to the government members first.

**Mr O'Toole:** Just very quickly, education development charge: Do you not think that there really is some room, not to discourage the real estate market, but recognizing that if I'm in a municipality and I don't want growth and all the attendant problems with it, to up the development charge and there ends the problem? My point is this: If there's growth, generally it can be fundamentally the cause of capital cost. Who's going to pay? Should the existing residents pay or the new residents — or the non-residential, the business? Who should pay?

**Mr Mitton:** It's an investment in the future when you put in these types of new systems for a new community. We think this charge is really significant. In fact, the development charge is higher than the value of property today.

**Mr O'Toole:** On soft services, I believe once the people get there, you will be able to tax them and pay the wages for the teachers and other people in the school. But for the hard services — otherwise they can all move east.

**Mr Mitton:** Hard services are a big problem.

**Mr O'Toole:** That's what development charges generally are. Our direction is hard services only. Anyway, I want you to think about it.

**Mr Calder:** The issue is that if we are to encourage businesses within our community, we had better make it affordable, because they'll be going down south of the border or into another province, and I don't think any of us can afford to see that happen.

**Mrs Munro:** One of my questions was related to that. I guess it's rather difficult to argue to the existing members of a community that they should be paying for the investment of a new school for the people who haven't moved there yet. That's what you're talking about in essence, that the existing residents would —

**Mr Mitton:** We're taking it to a little more of an extreme than that. We're saying cut \$3.5 billion. You can take it and, if you do it properly, there's a half a billion dollars to be invested back into computer systems and into the schools. All we're saying is that it's an over-bloated system today. Calgary, which is in Canada, proves the point. I might add to that, if you compare Japan, if you compare half a dozen other countries, as a percentage of GNP, Canada is high up there. The savings across Canada in education costs, if you compared on a competitive basis, could be \$9 billion to \$12 billion.

**Mrs Munro:** I was going to ask one other question. When you talk about 50 children in a classroom, have you considered the kinds of problems of children with special needs?

**Mr Calder:** But don't magnify that as the problem. How many children are there on a percentage basis of the overall student body who have special needs by comparison? It's not significant.

**Mr Patten:** Can I ask you where you got that cost of some \$8,000 per student?

**Mr Calder:** Metro is \$8,400.

**Mr Patten:** That's not the overall one? There are about 10 different factors for Metro boards as to why it's more costly: having to deal with immigrant students, second-language education, all kinds of different things. Anyway, I won't touch that.

If you took \$3.5 billion out of education — this legislation just deals with secondary and elementary, and the total from the province is \$4.1 billion for 1995-96 — that would leave you with about \$600 million. Do you think you could really manage the system with that amount?

**Mr Calder:** If you add elementary and secondary school numbers together, it comes close to \$14 billion. We have the numbers from the Ministry of Education; they come from the ministry. The \$3.5 billion is the incremental difference between the \$5,000 number and the average of all the others times the number of students.

**Mr Patten:** If you added the computer — you're suggesting a computer on the desk of every child, and we have roughly two million students throughout the province — what would that come out to be? You're saying even if it was \$500 per computer, that might do it for you, but that would be hard to attain.

**Mr Mitton:** Spread over the next four to five years. It's a capital cost and you invest for doing that, but if you don't make the cuts, you can't use some money for investment.

**Mr Calder:** How long has the computer been around? Why are we this late in implementing this sort of tool in the classroom? Why is this all only happening now?

**Mr Patten:** You don't want to add to the accumulated debt. You said we have accumulated debt, it's very difficult, but with the \$5-billion tax cut, you're going to



be adding \$20 billion to the accumulated debt. Do you agree with that?

**Mr Calder:** I have no idea.

**Mr Mitton:** I didn't quite get your question; I'm sorry.

**Mr Patten:** To pay for the \$5-billion tax rebate that the province is offering, the 30% provincial tax cut, the province will have to borrow money for that and add about \$20 billion to accumulated debt over time.

**Mr Calder:** We don't know that that's a fact.

**Mr Mitton:** Many of us think the growth may change in the province; I hope that's true.

**Mr Wildman:** I wasn't intending to raise that, but for your information, in the House today the Premier agreed that over five years it would cost \$5 billion to \$20 billion for the tax break.

Having said that, I wanted to get clear exactly —

**Mrs Johns:** He didn't say —

**Mr Wildman:** He agreed that that was —

**The Acting Chair:** Order. Mr Wildman has the floor.

**Mr Wildman:** I don't want to get into an argument; that's what he said.

I want to be clear on your main presentation. You were quite straightforward. You said you wanted a centralized system. You used the term "single mythology" —

**Interjection:** Methodology.

**Mr Wildman:** I think you meant "methodology." You're talking about 50 students in a classroom, abolishing all the boards and taking \$3.5 billion out of education. You'd do that in one year?

**Mr Mitton:** We used an illustration of what happened years ago when we used the 50; it doesn't have to be. It should happen very quickly, because we have a \$9.5-billion deficit. We can't pay that down unless we make some cuts.

**Mr Wildman:** So you're not saying 50 students in a classroom?

**Mr Mitton:** That was an illustration that says that's where we came from; I came from it.

**Mr Wildman:** I went to a one-room school. I wouldn't suggest that students today should necessarily go to one-room schools.

**Mr Calder:** It's a good benchmark to aim for. I think the crux of the situation —

**Interjection:** Are you suggesting we go back to one-room schools?

**Mr Wildman:** No. I was saying I went to a one-room school, but I wouldn't suggest that people should today. They're saying they went to classes of 50, so perhaps —

**Mr Calder:** The crux of the thing is this: People are rejecting tax increases all over. This is London. You'll get the same sort of reaction from people all over this province who are fed up to the teeth with the continuing demands of the boards of education. In the region of Peel, two or three weeks ago, the increase —

**Mr Wildman:** Sorry, you didn't answer my question though. I asked if the \$3.5 billion takeout would be in one year.

**Mr Calder:** No, not necessarily. They're all benchmarks.

**Mr Wildman:** Over what period of time would you suggest?

**Mr Mitton:** I would suggest it should be done quickly, in a one- to two-year period. You have to start and it's going to have to be done in negotiations and so on. But bear in mind, we are using this as a competitive benchmark on a worldwide system. If we gave you \$500,000 and 100 children, I'm sure you'd do a very fine job of educating them, or anybody in this room.

**Mr Wildman:** Your're right, the total expenditure, local and provincial, for education in Ontario is between \$13 billion and \$14 billion. You're suggesting that you would cut that to about \$10 billion in perhaps two years.

**Mr Mitton:** Two to three years. I illustrate this in another way: It's done in industry. Stelco cut down from 14,000 employees to 7,000. They produce more steel today at higher quality. We're asking the same thing of the education system.

**Mr Wildman:** There's no question about that. Are you concerned about the amount of unemployment this might produce?

**Mr Mitton:** Dislocated people — and I'm one of them — get very creative. We find other ways to earn a living and we create wealth by doing so. I would hope that happens.

**The Acting Chair:** Thank you for the presentation.

Before we wrap up, I remind members of the committee this room will be used for some other meetings for the budget tomorrow morning, so please take your package with you. Don't leave it here or you're going to lose it. Thank you very much. The meeting is adjourned.

*The committee adjourned at 1801.*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 8 May 1996

# Journal des débats (Hansard)

Mercredi 8 mai 1996



**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Education Amendment Act, 1996

Loi de 1996 modifiant la Loi  
sur l'éducation

Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Wednesday 8 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mercredi 8 mai 1996

*The committee met at 1003 in room 151.*

## EDUCATION AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Consideration of Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

## EAST YORK ADULT LEARNING CENTRE

**The Acting Chair (Mr Michael Gravelle):** Welcome to the standing committee on social development and the continuation of our public hearings on Bill 34. My name is Michael Gravelle and I'm the Acting Chair for today.

We'd like to call forward our first presenters, the East York Adult Learning Centre. Good morning and thank you for joining us. You will have 30 minutes for your presentation, which you can use in whatever manner you wish. Whatever time is left over after your presentation will be divided equally between the three parties in terms of questions. We'll be beginning our questioning at that point with the official opposition. So if you could introduce yourselves and begin your time, that would be great.

**Mrs Karin Lynett:** Good morning. My name is Karin Lynett. I'm a guidance teacher at the East York Adult Learning Centre. I've been involved in adult education in one capacity or another for about 12 years. With me today is Kerry Baksh, who is a student at our school. She is going to open our presentation with her remarks.

**Ms Kerry Baksh:** Thank you for this opportunity to speak with you. My name is Kerry Baksh and I'm currently enrolled as a student at the East York Adult Learning Centre. I'm here today to address the proposed cuts to adult education in Bill 34 and I speak on behalf of all students who would like to return to school and finish their education.

A year ago I returned, and the transition after having been out of school for 11 years was one of the hardest things I've ever had to face. Many times I was on the brink of quitting, and if it hadn't been for Karin, who is my counsellor, I don't believe I would have made it. You have to realize that as adults returning to school, we have more than just boys and clothes on our minds. Most of us have families, part-time jobs and bills. The pressures we face at home and at school can sometimes be overwhelming. We need our counsellors to guide us and to support us. If you fund us as continuing education, our guidance counsellors will be one of the first things to go, and I think you'd be surprised at the dropout rate that would soon follow.

Also to go if we're funded differently would be our co-op program, which gets people out to work faster than any program I know. Co-op is helping me because it's giving me the experience I require to enrol in university. Many of our students find jobs or go on to college and university after this program. We don't want to be on the social system any more than you want us there, but after reading Bill 34, I realize that if this bill had been in effect a year ago, I might not have been provided with the opportunity to return to school.

Coming back was for me one of the best decisions I ever made. It's boosted my self-esteem, given me confidence in my abilities and taught me more about myself than I ever thought possible. In the year that I've been back, I've learned many of the skills that are critical for re-entering the workplace and I've definitely come a long way. Just being able to speak today to you I think says a lot. In June I will be graduating with honours. The cuts you make will not affect me, but I have friends who have not reached the level that I'm at, and because adult education has been so instrumental in helping me to turn my life around, I would not like to see it taken from them.

I know that you have a budget to keep, but if you cut adult programs, then people will be on the system longer and you'll be taking the foundation that is necessary to the rebuilding of our society. If Bill 34 is passed, then we lose, you lose, and society as a whole loses.

**Mrs Lynett:** Thank you, Kerry. I think it's important to hear at first hand from people who have had the benefit of a comprehensive full-service day program. They're our best advocates.

What I'd like to do today is focus on three main areas. First of all, you've met Kerry. I'd like to also give you a profile so you can hook in, in kind of a personal way, to who some of our students are currently enrolled in our full-time daytime programs. Then I'd like to, by referring to the employability skills profile and a few points on the sheet that you've been provided, talk about the skills that we know are now needed for full participation in the workforce.

I'm really pleased that this committee deals with issues related to health, education and community and social services, because you can't separate these. The physical and mental health of people is intricately connected to their sense of self and their ability to be self-sufficient and to be responsible for their own lives in a financial way as well as many other ways. So the realities of today's work environment are very important to understand. Then, to bring these two together, I will take a look at the kind of educational system we currently have, and that we are going to lose with the passage of Bill 34,

to effectively prepare people to be participants in this new workplace.

I'm not going to use real names, but these are very much real people. A person I'll call Louise is typical of the students I've seen in my history in adult learning. Louise was a single mother, one son. When she came to us, her son had just started school, so she had time to go to school. She had finally managed to break free of an abusive relationship with a domineering drug addict who didn't allow her out of the house and tried to force her into prostitution, which she fought against. She had very little self-esteem and she was terrified.

She had left school at the age of 16, had run away from home. The reasons for that aren't even important. The fact is, she had. She knew that she wanted more; she knew that she needed to build a future for herself and her son. She once said to me he was the only good thing that ever came out of that relationship, and she thanked God for that child.

While she was first a student at our school, her former mate stalked her. He used to watch from across the street. She didn't like to be caught talking to anyone. She was one of my clients, but she was also in a life skills class. Again, the comprehensive nature of this program can't be stressed enough. Through the support in a group environment and belonging to a community, she was starting to recognize her potential. Like Kerry, she was one of the very brightest students I had ever met.

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She didn't complete school the first time she tried because of things like the fact that this fellow broke into her apartment and burned all her books, stood in the kitchen, lifted his T-shirt, held a knife to his chest, and in front of the child and Louise threatened to kill himself if she didn't come back. This was the terror that Louise lived with.

She kept coming back. It took her, I think, three tries, but through many methods and a lot of support and the fact that she knew some of us were there who believed in her, she eventually graduated from grade 12. I still have her picture on the wall in my office. She dropped in to see me — oh, by the way, he eventually died. He was found dead in a public washroom of a drug overdose. I think it's the only time in my life I've been glad to hear that someone died.

So she's graduated now. I used to say to her, "If you had been raised in my family, you'd be where I am today." She's currently working as a health care aide part-time, because she felt it was really important to work. As you can imagine, her son has gone through some rough times, but he's also a really bright kid and is doing well. But she needed that ongoing support or she wouldn't have made it. Picking up credits here and there wouldn't have met her needs. She has the foundation of skills, of knowing how to learn. She knows one day she will go on and continue further post-secondary education.

I'll be briefer with the others. Louise was very special to me.

Barbara is also typical. She's currently in our school. She's married, but her husband is unemployed. She's the mother of three children. The first time she came back to our school two years ago, she had finished at about grade 8. She wanted to upgrade, make a life for herself and be

a role model for her children. They were now in school and she wanted to be able to help them with their math. She had to interrupt her schooling because her sister was killed in a car accident and she became mother to that young child, but she's now back — he's in school — and the change in her, you can see it on her face as she's building a new life for her whole family. She talks about how her children have benefited from the fact that she's in school.

Vince is another typical student: single, male, 22 years old. He had some grade 9 credits and was doing well, but then he fell in with the wrong crowd. He didn't have much family support. His own parents weren't here; he was being raised by an uncle. He got into drugs, a history of substance abuse, as I've said. He'd tried jobs here and there and tried going back to high school a few times, picked up credits here and there, but hadn't followed through. He's now on his way to a high school diploma and is seeing himself very differently.

Sue is another woman who graduated last year. She was in her late 40s. She had worked for the same company for 18 years. When she got out of school you could get a job age 16 with a few skills, but now she was finding she could not. No one was interested in her. She didn't have current skills and she didn't have a grade 12 diploma. So she came back and in fact was sitting side by side with Vince in a class.

The realities of the new workplace I don't have to explain to you. You know what they're like. You know what unemployment is like. It's no longer like when many of you and when I graduated from school. We knew if we trained in a certain field, we would get a job, we would have permanent employment, and that was it for life. I think sometimes it's hard for us to really understand what it's like for someone who's trying to hook back in.

Technology is revolutionizing things and changing things.

Change is constant. People need core skills. They need a foundation, knowing how to get information, how to improve their skills, how to learn. Employers tell us that their workers have to know how to learn. We communicate with employers a lot in adult education and they say: "Give them a general knowledge. Make sure they know how to learn. Make sure they know how to work in teams. Make sure they have the basic skills, and we'll teach them the specifics."

Skilled training programs which someone goes into for six months and learns one particular thing and then gets hooked into an assigned job for a while are Band-Aids. That person eventually finishes that job placement and is left without the skills to get the next job or to go into a slightly different kind of job, and we get them back at our adult learning centre.

People really need to understand who they are and where they fit and how they can contribute. So some of the things we look at in our adult programs, as well as the academics and computer skills, are things that some people refer to as the soft skills: a solid sense of self, a solid sense of how to find out, how to plan for the next step, how to network, how to connect, how to work in teams.



A lot of people from the backgrounds I've described have very little connection with the community, of fitting in, of belonging, of being valued, and that's what they get in a full-time comprehensive program. Kerry has already talked about the value of cooperative education work placements where you get a chance to actually try something out and see how you fit.

Things that are lost are things, I realize, that could sound a bit self-serving because I'm a guidance teacher. I personally wouldn't be affected by these cuts, but the programs and the kinds of things I'm able to do would be.

One of the complaints that we hear, one of the problems we're aware of in education and training is sending people off and how do we know if it's the right training for the right person. There's been a lot of talk about vouchers and people running off, and I know this government and others before it have been very concerned with appropriate training and getting people back to work.

One of the things we have the luxury of doing in our system is carefully assessing and counselling every prospective student who comes into our school so that if we're not the right program for them, we can refer them to the one that is. This isn't available through a continuing education model with people who are simply there to teach their class and things happen in isolation. It's not the same kind of environment. It's not the same kind of community setting.

Students in our school, like Kerry, have an opportunity to develop leadership potential and to become involved in things like this. That opportunity isn't there.

Were I a continuing education teacher, I wouldn't be here today, because the focus of my job would simply be to go in and do my class and leave. I wouldn't have the opportunity for the professional development.

I was at a conference on Monday where Aryeh Gitterman spoke to a group of counsellors, co-op teachers and so on about secondary school reform and all the things that are happening there. Many of these directions and connections to the workplace are already happening in our adult day programs because our students demand that connection and that reality. We can't do that if we're a continuing education program. We're basically saying, "Because you're 21 or over, you're not entitled to the same kind of education that this very Ministry of Education is saying students need to prepare themselves for the future."

I guess it comes down to question of discrimination based on age, and we're very concerned that students like Kerry in the future won't have the opportunity that they presently have.

I'm going to stop now because you'll need some time to ask questions.

**The Acting Chair:** We have about four and a half minutes per party left for questions. We'll begin with the official opposition.

**Mr Richard Patten (Ottawa Centre):** Thank you very much, Kerry and Karin, for your presentation. I have a lot of questions, so I'll be very quick with them. First of all, how will your school be affected with the proposed cuts?

**Mrs Lynett:** How will our school be affected? Basically, what's being said in this is that adults are not

entitled to a regular day program, that boards can only offer things as continuing education. So for one thing, you wouldn't have a consistent staff. We would only be able to hire teachers for specific classes. We would lose things like librarians, counsellors, the nature of the courses, and I think the transient nature of the staff would be a major factor on students, because people may only be there for one semester to teach one course.

**Mr Patten:** You'd have to switch from your present model to a continuing ed model. Is that what you're saying?

**Mrs Lynett:** Yes, unless our boards of education chose to do something differently.

**Mr Patten:** I notice in one of your handouts, the Conference Board of Canada's little brochure on the employability skills profile, which quite obviously — if you look at the academic and teamwork skills, personal management skills, you need to have time in a regular experience, over time, to cultivate a relationship, to do some planning. I would think it would be pretty hard to incorporate the co-op experience into the continuing education model.

**Mrs Lynett:** That's right.

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**Mr Patten:** It would just disappear, wouldn't it?

**Mrs Lynett:** Yes, it would. The very fact that we use this employability skills profile as a bible for curriculum modification and for development of courses — that doesn't happen in con ed. Teachers aren't involved in developing curriculum. They simply deliver a package, whether it's English, math or whatever, and count up the credits and off they go. They just haven't the time to look at the broader issues and to work as a team to develop more appropriate curriculum, as they do in other secondary schools.

**Mr Patten:** What do you think this will mean? You mentioned, in talking about this committee, all the areas we serve and the interrelationship of health and community and social services. If this opportunity isn't there, what are the alternatives, or are there alternatives?

**Mrs Lynett:** I'm afraid we're going to lose a lot of people and they're going to be on the system a lot longer, quite simply. We have statistics — I didn't bring those because I know a lot of you have heard those from other presenters — about how people who have gone through our programs become self-sufficient and get on with their lives, and whole families then are independent. Our fear is that with these programs going, the avenues aren't there. The kinds of support, the kinds of group experiences, the kinds of team building, as you say, the things that are here on the employability skills profile — those things aren't dealt with in a course-by-course approach.

**Mr Frank Mclash (Kenora):** Kerry, first of all, thank you very much for your part of the presentation.

Karin, I'd like to go back to something you said and just repeat it and thank you for those words. You indicated — you were talking about Louise at the time — "If you had been in my family, you'd be where I am today." I think that's a very, very important point that government must look at in terms of trying to fit everybody into one mould, because as you've indicated — and through your presentation, Kerry — this isn't the case. I just wanted to reiterate that and thank you for that comment.

**The Acting Chair:** We'll move to the third party.

**Mr Bud Wildman (Algoma):** Thank you very much, and I apologize for being late. Your presentation is so important and it raises a lot of questions in my mind. What really strikes me is that you are dealing with the whole person, a holistic approach. I'll ask a couple of other questions in that regard. Have you seen any effects on your students of the cuts to welfare and what effect that's having on the ability of single mothers, for instance, to be able to upgrade their skills and to finish high school?

**Mrs Lynett:** Yes, one of the major cuts there is that things like transportation, having bus fare, are becoming a real issue, and this also speaks to the importance of having the current kinds of schools in communities where people can get there easily, without having to take public transportation. We have a student support group that has looked into issues around food and various issues, but yes, this has been a big concern. As a matter of fact, Kerry will probably remember the day in our life skills parenting class when the cuts were announced and the despair that was felt.

We lost some students. I was surprised at the ones who found ways to stay because they know that certainly they don't want to lose sight of their goal. But again, if the supports hadn't been there, I think a lot would have given up if they'd just been on their own, if they hadn't found a group and a place to belong.

**Mr Wildman:** In an adult continuing education type of context, a lot more might not have been able to continue.

**Mrs Lynett:** Oh yes, I have no doubt in my mind of that, because they wouldn't have had the other kinds of supports.

**Mr Wildman:** Even with that, you lost some. So for the government's approach of trying to get people to upgrade themselves and be self-sufficient, the cuts they made themselves are self-defeating.

**Mrs Lynett:** I would say so.

**Mr Wildman:** One other argument that has been made, that we don't need the kind of day program that you've described to us, is that adults are different from adolescents; they're adults and they don't need the kind of supports and guidance programs and so on that you've described. How would you react to that?

**Mrs Lynett:** I would say they didn't get them when they were kids and their needs are even greater, because very often they don't have the family support. They aren't connected into other kinds of communities. They need to understand the realities of the new workplace with a comprehensive career education program, for example, which this government is advocating in the document that of course we haven't seen because it hasn't been made public yet, with an emphasis on career education. These adults need that every bit as much as kids, if not more, because they missed a lot of that when they were kids.

**Mr Wildman:** And then there's the question of low self-esteem.

**Mrs Lynett:** They're much more battered. As Kerry said, it took her 11 years to come back.

**Mr Wildman:** The other question I have is in regard to the whole question of guidance. One of the things that

is proposed is that we could move to a system of boards having flexibility in terms of qualifications and who gets hired to do things like guidance or library, that sort of thing. Do you see any particular problems in someone being able to carry out the kind of role you've been able to carry out if they do not have a teaching certificate but have skills in terms of counselling?

**Mrs Lynett:** I think the word that was used earlier was "holistic" and, just as I said, one of the benefits of this committee is that it's a holistic look at things that people need to lead quality lives, meaningful lives. The same can be applied to roles such as guidance counsellors in schools, where you have to understand the whole system and work with teachers. You don't work in isolation.

It isn't a question of a Band-Aid. It's very difficult to separate the parts. We are guidance teachers and we work with students in classes and in groups. We have to understand in just simply the registration process what goes on in classes to know where the appropriate starting points are, for example, for an adult student. I have a lot of concerns, but that's kind of a whole other issue. Invite me back when you get to that one.

**Mr Wildman:** The same sort of argument, I guess, would apply to teacher-librarians.

**Mrs Lynett:** Absolutely. They work very closely with teachers on curriculum development.

**The Acting Chair:** We now move to the government party.

**Mr Trevor Pettit (Hamilton Mountain):** Thank you, ladies. Kerry, I think you're to be commended for your self-improvement achievements. I think it's admirable what you've done.

I'm going to try to lump things in here together quickly, some quick questions. I'd like you to tell us, if you could, of any community partnerships that the learning centre has established and, at the same time, if you could tell us approximately what the enrolment is in any average year and, relative to that, if you could tell us what the dropout rate might be also.

**Mrs Lynett:** Okay. I'll refer to your first thing, community partnerships. I'm interested to see that the Ministry of Education and Training is encouraging all schools to develop community partnerships. Adult education has had to do that from day one. We have partnerships with people who refer students to our program with community agencies such as the YWCA's Focus on Change for people coming in.

We also have a lot of community partnerships through co-op with employers. We have employers that we invite in to actually advise us and work with us on developing curriculum so that it's appropriate to the workplace.

Community partnerships include certainly referrals to various agencies. We are guidance teachers. We don't try to be social workers and solve all things. I make referrals for students to things such as support groups for women who have survived violent relationships, that kind of thing.

We have partnerships with at the moment — is it still called OTAB, the Ontario Training and Adjustment Board? We have current pre-apprenticeship programs with that. We have programs that we're working on and have developed with Human Resources Development Canada, where we are again working in an integrated,



holistic and therefore very effective way, and I think a very cost-effective way, to meet the needs of our clients.

**Mr Pettit:** And the enrolment and the dropout rate that there might be?

**Mrs Lynnett:** Our enrolment is around 700 at the East York Adult Learning Centre. It varies from school to school.

It's interesting you talk about the dropout rate, because a dropout in a high school for a 17-year old is one thing; a dropout for an adult student is something else. That's one of the things that we have been criticized for. Some of our students, like Louise, had to drop out because of her violent relationship, but she came back. She knew that she could come back.

Sometimes students' children have extended illnesses. In spite of what some people think about there being ladies on the street and mothers and aunts willing to come in and help, our students don't have those kinds of supports — they laugh actually when they read those things in the paper — so they're forced to stay home and look after them.

The important thing is they've had a sense of community and a sense of belonging and they know what they're capable of. If there's anything I want them to know when they leave — so they do come back.

**Mr Pettit:** Is there a percentage you could put on it?  
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**Mrs Lynnett:** I don't have those numbers available. As a guidance counsellor, I know there are some, but actually sometimes those figures, I've heard, when they're compared to high school students, aren't that much higher. Certainly it's an issue. Some pupils drop out because they got the skills they needed, they got the opportunities they needed and they got a job; and we consider that a success story, not a liability.

**Mr John O'Toole (Durham East):** Congratulations. Very quickly, how do we get to the young people, Kerry?

**Ms Baksh:** How do you get the ones in the high schools?

**Mr O'Toole:** So that they understand just how critical learning is, or formal education. Is there anything we can do?

**Ms Baksh:** It depends on the life they're leading at that time when they're in high school and what kind of support they have and the role models they have. Right now, I'm a role model for my children, and I'm glad of that opportunity, because I don't want my children to grow up and drop out of high school because they see their mom sitting at home doing absolutely nothing.

**Mr O'Toole:** The point that was made by Karin is really — you said it doesn't matter before they're 16, that sort of thing. I know there are a lot of various explanations and I don't want to dismiss what you said, but I think that's what's most important. You cannot begin to teach until they get a handle on themselves and this confidence. I keep hearing repeatedly the importance of establishing confidence and self-esteem, and those various aspects are very important, but it's all about getting to the background, it's all about getting to having them understand themselves. How much of that is actually a teaching — someone with a degree in history, for example, does that qualify them to do those kinds of humanistic things?

**Mrs Lynnett:** I guess what you're saying is what Mr Wildman was referring to, the importance of having career education teachers.

**Mr O'Toole:** Someone with a history or a math degree or —

**Mrs Lynnett:** People also have teaching qualifications and teaching training, and I think here's where the partnerships between guidance counsellors who are trained in these kinds of things, working with them —

**Mr O'Toole:** They have what kind of training? Is it a graduate degree in psychology? What is it?

**Mrs Lynnett:** For a guidance counsellor?

**Mr O'Toole:** Yes.

**Mrs Lynnett:** It varies. Some indeed did —

**Mr O'Toole:** It varies. Thank you.

**The Acting Chair:** Thank you very much for your presentation. It's much appreciated.

#### ONTARIO SCHOOL BOARD REFORM NETWORK

**The Acting Chair:** I call forward our next presenter, the Ontario School Board Reform Network, Mr David Hogg. Good morning and welcome to the committee.

**Mr David Hogg:** I appreciate this opportunity of coming before you and making this presentation. The particular aspect of the act that we wish to address is equity in funding for education in the schools of Ontario on a per-pupil basis. This brief is being presented on behalf of the Ontario School Board Reform Network, OSBRN, an association which is unique in that it represents both public and separate school trustees across Ontario.

In the matter of the act, it is extremely difficult to address funding equity, for it seems so obvious and fair. If we really believe in public funding of education, in fairness, in equal opportunity for our young people, why is it even necessary to come before the legislators of this province to try and persuade them — that is, you — that this is something that should be done? How do you state the obvious? If we believe in our youth, if we believe in education as a prime public good, if we believe that parents in society have a critical obligation of conscience to provide for the children of this province, why do we even need to discuss this matter?

If we lay claim to be a developed, civilized and cultured nation, one of the attached attributes would be a population which values education and views it as both a right and obligation. Given that it is both a right and obligation, then there follows as a matter of justice that every child be treated equally with regard to opportunity, access and funding. This province can take great pride, in the main, over the manner in which it has delivered its responsibilities with regard to access and opportunity.

With regard to funding of public education, there is much less cause for pride. Differences are large. To illustrate, the following figures are taken from a table published by the Ministry of Education and Training, "Survey of School Board 1994 Financial Statements and Comparative Per-Pupil Costs by Expenditure Function." To provide focus to the disparities, the costs for instruction per pupil, which is a particular category, have been



isolated and used, as opposed to cost of operation per pupil, which would include overhead, transportation etc. As well, to maintain some objectivity in the comparisons, the costs for very small boards were not included because of possible distortion; spreading the cost of a teacher over a very small number of students will naturally produce inflated costs. The per-pupil costs for elementary and secondary have been kept separate.

For elementary pupil costs for instruction, the provincial average is \$4,792 per pupil per year. In the case of public school pupils, the costs quoted for the school boards range, in round terms, from a low of \$4,100 to a high of \$5,900 per pupil per year, or -15% to +23%, a range of 38%. To give you some idea of what we're talking about here, a difference of \$1,800 from lowest to highest at \$30 per textbook translates into 60 textbooks per pupil per year.

In the case of the separate school pupils, the costs quoted for boards range, again in round terms, from a low of \$3,900 to a high of \$5,000; that is, from -20% to +5% of the provincial average. While the range is smaller, it is still very significant.

For secondary, the provincial average is \$5,615 per pupil per year. For public boards, the range is \$4,900 to \$6,300, or -13% to +13%. For separate boards, the range is \$4,600 to \$5,900, or -18% to +5%. Again, very large differences from low spenders to high.

These disparate differences should persuade you that something should be done, the right thing in the right way, hodie nunc — today, now. The more difficult question is, what can be done to provide equal funding in an equitable manner?

One suggestion has been provincial pooling of the commercial-industrial assessment with a common educational mill rate. That suggestion has merit. Wealth generated in one jurisdiction frequently pays the property taxes in another. Commercial-industrial activity benefit is not limited or isolated to the jurisdiction in which it is earned. The wealth may be earned in one or many places and the beneficiary head office may be in another. A fair share arrangement has much more philosophical merit than the current arrangement.

Having said that, it is not reasonable to expect rich assessment boards to turn around their operations overnight. There needs to be a reasonable phase-out/phase-in period of, say, three years. Endowing school boards with instant wealth is no guarantee that their past frugal, some might say destitute, ways will continue into the future. There needs to be a period of adjustment and planning so that the new flow of cash into their coffers will be used wisely and well.

A reasonable expectation is that reasonable changes will be executed reasonably quickly to rectify a situation which is manifestly unjust. The arguments in favour are compelling. Education is an interlocked service in which, somewhat like taxes, location and benefit are not necessarily tightly linked. Nobody can guarantee that a student educated with Windsor tax dollars will not end up paying educational real estate taxes in Ottawa or vice versa. It is sincerely hoped that, in this case, what is proper will prevail over politics. I am now open for questions.

**Mr Wildman:** Do the figures you use include Metro Toronto board figures?

**Mr Hogg:** Yes. It's a complete rundown of all of the boards of education.

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**Mr Wildman:** You know that in this particular piece of legislation that we're considering there is a provision to "allow" — that's the term used — the Metropolitan Toronto board and the Ottawa board to enter into discussions with the province about giving part of their property tax revenue to the provincial treasury. Do you see that as a step towards pooling?

**Mr Hogg:** It's a very small and minor step towards pooling, and I think that already they have made some statements in the negative to that proposition.

**Mr Wildman:** They've indicated that they think it's unconstitutional for the provincial government — and that's why I think it's worded the way it is in the bill — to require them to collect property taxes for the provincial treasury.

**Mr Hogg:** In that case, there is an opportunity for you to change the legislation so that the property taxes flow in a much more rational way. I was very concerned when I read in the Toronto Star about 10 days ago that the idea of pooling real estate taxes was a Tory tax grab. I went to my telephone book and picked it up. I was going to look up Noranda to see where Noranda's head office is, knowing that its mines are someplace in the north. I just opened the thing up and the first name that I came to was Imperial Oil, which is located on St Clair. I think every one of us knows that there are Esso stations in every tiny town in the province that are generating the wealth that goes to pay for the cost of the head office. The fact that by chance the head office is located on St Clair Avenue West is something that benefits a particular school board, but the people who are paying for that head office are right over the province, so why wouldn't we enact legislation that would allow the province to collect these taxes and then distribute them fairly and equitably?

**Mr Wildman:** As someone who comes from somewhere up north, I understand the argument that, for instance, in terms of pulp and paper or lumber, 70% of the jobs in the lumber industry are in southern Ontario even though the timber comes from the north. I understand the argument, but my question was specific to this legislation. You're quite right. If the majority members on the committee wish to move an amendment to change the legislation and to support an amendment, we can change it.

But why this is referred to as a tax grab is that there is no guarantee that it goes to education; it just goes to the provincial treasury. The Metropolitan Toronto Board of Education and the Ottawa Board of Education are being asked to negotiate an agreement to transfer money to the provincial treasury. It then could be used for anything — health care, roads, whatever.

**Mr Hogg:** My understanding was that the suggestion was that there would be an arm's-length body that would collect these taxes and ensure that they go to education, and that again can be enacted in the legislation.

**Mr Wildman:** No, that's not in the legislation.

**Mr Hogg:** But these are the sort of watchdog activities that I hope the opposition will engage in to make sure the moneys are collected fairly and properly distributed. This

is why we have this mode of operation, our democratic mode of operation, that there are people who will ensure that what is right is done in the correct way and in the right manner. I'm not in favour, nor is my association, of taking money that should go to education and distributing it into other activities.

**Mr Wildman:** We don't know that it would happen, but there's no guarantee in the legislation that it would not.

**Mr Hogg:** Then it is up to you to ask for that to happen, and certainly we would be very supportive of that. I'm sure the public would be very supportive of that.

**Mr Wildman:** My only other question is in regard to the issue of the public schools that are secular as opposed to the public schools that are Roman Catholic in our province. Are you of the mind that there should be an equalization, not just among the public boards of education, but across the whole system, public and separate?

**Mr Hogg:** Across the whole system. Because one child happens to profess one religion or no religion or whatever, or the parents take that decision, I don't think that is reason for them to be financially penalized. On the matter of fairness and justice, it doesn't make any sense to me that a public school child, because their parents happen to live in some remote area that doesn't have a large tax base, will be treated differently to somebody who happens to have parents living in an environment that generates huge amounts of money. It's the principle of fairness and equity, and I hope it won't become sectarian and it won't become political. These I think will be retrograde steps. There's enough concern already about this.

**Mr Wildman:** I think it's inevitable that it'll be political. It's obvious from what you've said that you would favour province-wide pooling rather than regional pooling, as has been suggested. For instance, the Toronto separate school board would benefit substantially if there were pooling within Metropolitan Toronto, but that wouldn't then meet the criteria you've set out that someone in the north should benefit as well.

**Mr Hogg:** No, well, even though one of my other hats is that I'm a trustee with the Metropolitan Separate School Board, again, I think the overriding principle has to be equity funding. While it may well mean that we would get less money if it was distributed across the province, this is what should be done and I'm sure all of my colleagues would say exactly the same thing in the same words.

**Mr Wildman:** So then public boards in rural areas would benefit as well as separate boards.

**Mr Hogg:** Absolutely.

**Mr Toni Skarica (Wentworth North):** I have two questions, but just as background, you refer to 1994 financial statements and I have some of the 1995 ones before me, and I note the funding inequity seemed to have probably got worse as opposed to better. On the first page, for example, there's one Roman Catholic secondary school board that has instructional cost of \$4,700 per student and then another board in Cochrane/Iroquois Falls where it's almost \$7,000 per student; very similar and I think even worse than what you refer to. I have two questions.

**Mr Hogg:** Can I just comment on that? The reason I didn't use the 1995 figures is that those are estimates, whereas these are based on the actual financial statements, and the date on it was November 1995. They are really the most —

**Mr Skarica:** Okay, but it doesn't appear that it's gotten any better. My question to you is, can equity in funding be achieved with the current formula, pre-Bill 34, and if it can't how would you propose to amend the legislation to achieve equity in funding?

**Mr Hogg:** I just got Bill 34 in my hands a few moments ago, so I haven't had an opportunity of studying it in detail, if you'd allow me to pass that by.

**Mr Skarica:** It's not a test.

**Mr Hogg:** Thank you. I think there are many ways of doing it. Another way would be to pool all of the assessment, the residential as well as commercial-industrial. I haven't gone into that in sufficient detail to be able to express a sufficiently thought-through position, and so I think I'd like to leave that one. But the commercial-industrial seems to me to be something that is so rational and reasonable that it shouldn't be difficult to sell it to the public. In fact, the public are probably already sold, particularly the public in the more remote areas. Sure, the mines and the pulp and paper mills have to be located in certain communities, but they happen to be there because of particular reasons. You can't locate a mine arbitrarily, it's got to be in a particular place; that's where the wealth is generated. But that doesn't apply to the head offices and these other entities. If it has to be staged, then that would seem to be the first and most reasonable step to take that the people would buy into and go along with.

**Mr O'Toole:** I appreciate your time. Just dealing with the equity issue, I am supportive of that view. When you do the comparisons you're using the actual instructional cost per pupil, right?

**Mr Hogg:** Right.

**Mr O'Toole:** Okay. And that's where I can agree the equity — if you can isolate, that's the difficulty in the Sweeney report: trying to say what's operational inside and outside the class. Agreed with that, if we could come up with a formula that said this is the cost, then I completely endorse that point of view.

One question — equity: Have you looked at denominational schools? Those are schools that we call sort of private schools. I suppose most religious groups might have them. The Supreme Court is dealing with the constitutionality of that issue. Did you look at that area? They spend around \$3,700 per student. By the way, they will all be working in the future, so I don't think gender or culture or religion has anything to do with it.

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**Mr Hogg:** That wasn't within the mandate and I would prefer not to bring it into this particular item, because I think that's another issue as to whether all schools should be funded. Obviously, there is a cost to the province.

**Mr O'Toole:** Not the schools, I'm talking the student. I'm trying to move you towards the direction of the funding goes with the student. Do you have any —

**Mr Hogg:** A voucher system that we pay people —

**Mr O'Toole:** Well, there are many names for the same thing.



**Mr Hogg:** As I say, I think those are issues that are separate to this particular one. Equality of funding: If we agree on the principle of equality for funding, then that should apply to every student.

**Mr O'Toole:** Good.

**Mr Hogg:** Whether you deliver it as vouchers or not, that is something I really would like to deal with on another occasion.

**Mr O'Toole:** Are there other members of the committee who have questions on this side?

**Mr Bruce Smith (Middlesex):** I certainly appreciate your comments this morning as well. Perhaps, for my own benefit, could you sort of tell me — you indicated at the outset that your network is representative of public and separate school trustees. What efforts do you make as a network to communicate outside of your own organizational boundaries in terms of talking to students and parents? I recognize that some of them will be representative of your group, but how do you dialogue with those groups and what vehicle of communication are you using to express your views to various boards across the province?

**Mr Hogg:** We are part of an umbrella group called the Coalition for Education Reform and that is an umbrella organization that takes in organizations such as the Organization for Quality Education, which is made up of teachers and parents who are concerned about the quality of education that is being delivered. As part of that group, we hold very extensive conferences. There was a very successful one about 18 months ago where 300 people attended across the province, outside the province, and we get people outside the province coming in and delivering information. We have this network, and there are newsletters that go out that express these opinions and convey the information, so it's very, very widely distributed. On our executive, we have members from Windsor, Sarnia, Ottawa and the Lakehead.

**Mr Smith:** So you are in fact consulting with other stakeholder groups outside of your network as a part of that review process.

**Mr Hogg:** Absolutely.

**Mr Smith:** On the second page of your presentation, you refer to "a period of adjustment and planning." In your mind, given some of the comments you've made with respect to pooling, which would lead to some fairly substantive changes in school governance and funding and what not, what is the appropriate time frame to achieve all of these objectives?

**Mr Hogg:** The suggestion that was made there is three years, and I think Sweeney said five years. I come from a business background. I had 10 years in education and 30 years in business. I think it can be achieved in a much shorter time frame than that, but again the concern would be that it is done properly. If that means it is done at a slow rate — I believe it could be achieved in much less than three years, but in order to give the boards time to adjust, I think they have to be given that opportunity so there are no excuses that, "You rushed us and we can't do the job properly."

**Mr Dan Newman (Scarborough Centre):** Just a quick comment. Mr Hogg, thank you for your presentation today; it was an excellent presentation. I just wanted to thank you on behalf of the government side on the

committee and also to thank you for allowing the length of time you have for questions. It's very important that we get all the questions in that we can. Thank you for that.

**Mr Hogg:** Thank you very much indeed for this opportunity.

**Mr Newman:** We still have the Liberals.

**Mr Mclash:** Mr Hogg, thanks for your presentation as well. A number of years ago I sat on a committee that looked at educational finance reform and we talked a lot about moving the financing of education away from the property tax system into the income tax realm. I'm just wondering whether you have any comments on such a move.

**Mr Hogg:** I'd like to give this in the frame of personal comments. As I told you, I'm a trustee and I campaigned, as Mr Newman knows, on the basis of in-depth contact with my constituents, or my potential constituents. There is a great deal of concern expressed by the older homeowners who don't understand why they should pay these taxes. It is of course a very regressive tax.

Then you get into the problem that if you collect the real estate taxes provincially and bring them into the provincial coffers, how do you make sure those dollars go where they were intended to go? If the legislation could be used appropriately in this matter, then I think it would make more sense to a huge body of people. They would then understand the benefits they're getting. The major part of real estate taxes goes to the school boards. They don't have any children, they may never have had any children in the system, and it's difficult to point out that when you educate somebody and that person goes into a high-paying job and then pays high taxes, they get a benefit that way. It's a bit of a stretch for them, so one of the things you need to do, obviously, is to do this in a way that people can understand it.

That, to me, would be an activity that would require so much effort, it would delay the process. I think the suggestion is an eminently reasonable way as a first step.

**Mr Richard Patten (Ottawa Centre):** Mr Hogg, thank you for your presentation. The Ontario School Board Reform Network, is that an offshoot of the Reform Party?

**Mr Hogg:** No.

**Mr Patten:** I'm just joking.

**Mr Hogg:** I think we had our name before they did. The question has come up, of course, "Are you connected?"

**Mr Patten:** We need a bit of humour every once in a while in these hearings.

Mr Hogg, could you tell me a bit more about your network and the various things you do? I think I'm encouraged to see this kind of cooperation. How extensive is the network?

**Mr Hogg:** As I indicated earlier, it is very extensive. It's only been in operation a relatively short time. A very learned and scholarly work was produced to initiate the organization on the basis of governance, because it is one thing to equalize the funding, but as you know very well, you have to have this overseeing responsibility to make sure the expenditures are made in a reasonable and sensible manner. So it was that particular document — I think probably it has been made available; certainly, it's



in the ministry — to change the governance, to give more responsibility to the trustees. In fact, they assume a much more hands-on, direct involvement in the governance of the school board administration and in the expenditure of money.

I can speak first hand to this issue, because we've just gone through the budget process now and there are some things we have seen that are a matter of huge concern. Elsewhere, there is another standing committee that will be looking at value-for-money audits by the Provincial Auditor. This is a first step. There are other things that need to happen. Once this is done, the Provincial Auditor must have the opportunity of going into the school boards to assess whether their money is in fact being spent appropriately.

**Mr Patten:** When you talk about equitable funding, does that mean to you that each school board would get exactly the same amount of money on a per-pupil basis?

**Mr Hogg:** That each pupil would attract the same amount of money. That is the equity in funding. Then it will be up to the school boards to disperse that revenue in an appropriate manner, concentrating on the classroom.

**Mr Patten:** Let me offer this hypothesis: I think you would create another form of inequity if you did that. What would happen is that the boards, especially the inner-city boards that have all the responsibilities of ESL and special needs etc, would carry the burden for some extraordinary responsibilities to enable some youngsters just to arrive at the point where they're able to take on the challenges of the curriculum.

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**Mr Hogg:** But those particular activities are already funded directly and separately, so we're not talking about altering that funding.

The funding for ESL students — we used to think that Scarborough was the most multicultural of all cities, but when the grade 9 reading and writing tests came out, North York had a higher percentage of students who didn't speak English as a first language at their home, so there may be discussion about where that lies. But that is funded separately and there is not a suggestion that that type of funding that goes where the dollars are required and for those children, the special-needs children, that that activity is dispensed with in coming up with this. So if you were trying to get that clarification out, I thank you for that, to make sure that is clear in everybody's mind, that this is base funding that would come through the normal GLG route.

**The Acting Chair:** Thank you, Mr Hogg, for your presentation, much appreciated.

#### ASSOCIATION OF EARLY CHILDHOOD EDUCATORS, ONTARIO

**The Acting Chair:** Our next presenter is the Association of Early Childhood Educators. Good morning and thank you for appearing before the committee.

**Ms Velma Doran:** I'm Velma Doran. I'm the past president of the Association of Early Childhood Educators, Ontario, and this is Robyn Gallimore, our executive director. We have a brief presentation and are available for questions.

**Ms Robyn Gallimore:** Lots of time for questions. I'm basically going to read our presentation, to give you some time to absorb what we have to say, and then I'll open it up to questions.

I guess I should also make a quick comment about some of the positive news that we heard in the budget yesterday. We're really encouraged particularly by the \$200 million for child care and some of the other initiatives, the early intervention initiatives and the breakfast program with the Canadian Living Foundation for Families. In that light, I'll read our presentation.

Children all over this province are feeling the impact of the recent cuts to child care, social services and welfare. Eliminating junior kindergarten as a mandatory part of the formal school system is an example of cost-cutting measures that will have long-term negative repercussions for children in Ontario.

The Association of Early Childhood Educators, Ontario, is the largest child care organization in Canada, representing over 3,000 early childhood educators. As a professional association, it is part of our mandate to work towards quality child care and education on behalf of the children in Ontario.

It is our belief that all children in this province have the right to start their formal education on a level playing field of opportunity and experience. Providing fully funded access to developmentally appropriate junior kindergarten programs is the best way to ensure that all children in this province receive the support and preparation they need to succeed in school as they enter first grade.

I'll begin this presentation by outlining the long-term advantages of junior kindergarten programs. The royal commission's report *For the Love of Learning*, released in early 1995, provides a great deal of important background information in support of organized education for young children. I will also present some additional research findings about quality early education that must not be overlooked as the debate over junior kindergarten continues.

Secondly, I will address some of the serious problems that could arise for our children if JK is eliminated as a mandatory program in Ontario. It is crucial that we consider the cost of not providing junior kindergarten. If we do not act now to save JK, we will pay later in corrections dollars when our children fail to meet the challenges of the formal education system.

Finally, I will present recommendations of the AECEO to facilitate the maintenance of mandatory JK programs in Ontario. The AECEO recognizes the need for spending cuts. However, we do urge the government to consider all of the evidence in support of JK very carefully before making a decision that could have serious implications for the development of Ontario's children.

Education is a cumulative process that begins in infancy, continues through the early years, the school years and into adulthood. In this process of learning, junior kindergarten plays a very important role. From an educational perspective, JK offers a critical equalizing opportunity for children from various situations and backgrounds. When they enter JK, children bring with them a diverse range of experiences and skills which can affect their ability to learn in both positive and negative

ways. Ending universal access to JK will target children from troubled families who cannot provide early intellectual stimulation. In the words of one JK teacher from St Catharines: "Junior kindergarten is a program that allows disadvantaged kids to have an edge. If they don't get it at this age, they never catch up."

At a time when many children come from single-parent homes or homes where both parents are working, it is essential to continue programs like JK that offer children — advantaged and disadvantaged alike — a more equal opportunity for success in school and in later life. For decades now, we have understood the long-term benefits of providing children with positive, developmentally appropriate programs such as junior kindergarten.

Research into quality early education supports measurable evidence of heightened cognitive performance and scholastic achievement through a child's educational career, higher aspirations in employment, motivation and school commitment, increased post-secondary enrolment and high school graduation rates, a better grasp of social and moral rules, decreased delinquency and lower arrest rates, and less reliance on welfare, lower incidence of teenage pregnancy and lower rates of unemployment.

In addition to these psychological, social and academic benefits, recent studies have proven that quality early education can actually improve the physical development of a child's brain. Fundamental neural connections are being made in children, but only for very limited periods of time. These periods of neuron activation are short in duration and when they are over, the window of opportunity is shut. Any excess neurons that are not activated during these development periods are lost to the child. The research has proven that this window of opportunity for learning begins to shut after age four.

According to Dr Fraser Mustard, former president of the Canadian Institute for Advanced Research, it is the quality of the stimulation in early childhood that is the driving force. While children's brains have the capacity to rewire the circuits to some extent later on, a lack of stimulation at the optimum learning age can leave children at a distinct disadvantage. Providing junior kindergarten programs that include a wide range of stimuli and experiences is the best way to ensure that children will reach their learning potential in the future.

Many other countries have taken all of this research seriously and have developed programs to meet the educational needs of their youngest children. In France and Belgium, for example, 95% of children from age three are enrolled in publicly funded preschool programs. In Germany, Greece and Spain, the figure is also high at 70%. As a province trying to maintain high educational standards, Ontario cannot afford to allow young children to slip through the cracks at a time when they are most open to learning.

Canadian research also supports the importance of early education for children. An exhaustive study produced by the Royal Commission on Learning recommended the development of publicly funded educational programs for three-year-old children in Ontario. Pre-kindergarten programs, the report argued, would help to prevent later problems for children and would give them a sense of continuity in their learning experience. An

earlier start for children would also help them to develop a more positive view of formal learning.

Instead of moving in the direction indicated by the research, done at the expense of the taxpayer, the government is proposing measures that are diametrically opposed to the royal commission's report. As we enter a time of uncertainty in the province, it is more important than ever to provide children with the head start they need to succeed in school. Support of junior kindergarten is the best investment our government can make in the future of Ontario.

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While the research clearly supports the benefits of JK programs, it also illustrates the profound cost of not providing quality education for young children.

Eliminating JK as a mandatory component of the formal school system sets up immediate barriers for children from disadvantaged families. In Calgary, where user fees were introduced for kindergarten programs last year, 862 five-year-old children did not show up for school in September, presumably because their parents could not afford the fee. This scenario sets up a dangerous, two-tiered education system: Those who have money will send their children to high-quality, early education programs while those who don't will be forced to use the cheapest child care they can find, regardless of quality. Even if user fees are not yet a reality in Ontario, children from disadvantaged families will still suffer if JK is eliminated as a mandatory program.

According to Dr Paul Steinhauer, senior psychiatrist at Toronto's Hospital for Sick Children, "You can pay now...for a child's wellbeing; or you can pay later when the personal and social costs of an ill-adjusted adolescent will be much higher." Investing in junior kindergarten programs would be an exercise in the prevention of future problems for children rather than a mad dash to intervene once the behavioural and academic difficulties become an issue.

In reviewing, once again, all of the research in favour of early education for children, the AECEO cannot support the elimination of mandatory JK programming as outlined in Bill 34. As a professional organization trying to survive in these difficult economic times, the AECEO respects our government's need to reduce spending. However, we urge our leaders not to cut costs at the expense of our children. In response to Bill 34, the AECEO has prepared some recommendations that address junior kindergarten programming in Ontario.

Our first recommendation is to maintain junior kindergarten as a mandatory, publicly funded component of the education system and allow early childhood educators to play a more significant role in the delivery of JK programs. Graduates with early childhood education diplomas and degrees possess at least two years of intensive academic and practical training which equips them well to provide developmentally appropriate programming for young children.

Our second recommendation is to offer junior kindergarten programs in child care centres in addition to traditional school settings. Many child care centres are on the verge of closing or have already closed their doors and would provide excellent locations for the delivery of JK programs.



Our third recommendation is to integrate junior kindergarten into the school system as one component of a seamless educational experience for children. Organize the JK program to promote consistency and continuity for children as they make the transition from kindergarten to the formal education system.

It is our hope that our leaders and decision-makers will not turn their backs on the evidence before them. The long-term benefits of junior kindergarten are indisputable and they must not be overlooked in the face of short-term, cost-cutting strategies. In the words of Donna Lero, head of the Canadian National Child Care Study in 1988: "Children are an expensive investment for parents and taxpayers. But they are one of the most important investments we can make."

**The Acting Chair:** We'll begin the questioning with the government party. There's five minutes per party remaining.

**Mr O'Toole:** Very quickly so I'll share some of this time with my colleagues. Thank you for your presentation. I just want to focus on a couple of small things. I completely agree with the early intervention. The Mustard reports and other reports suggest that. It's the style and methodology, I guess, that I'm trying to get to.

I just want to point out the importance or get your feedback on the role of the family and the responsibilities of the family. We can't somehow offload that on to the state, if you will. What's your response to that? Is there a family role involved in the decisions?

**Ms Gallimore:** Certainly. There's no doubt that the family is a very important partner in this collaboration.

**Mr O'Toole:** I like the term in the second paragraph on the first page, "developmentally appropriate" — that is, to recognize that each individual is different and their developmentally appropriate time line may not be three years old. It may be three months old for some — well, maybe six months.

**Ms Gallimore:** Maybe not three months.

**Mr O'Toole:** Yes, I'm getting a little early. What kinds of choices, and I underline the word "choices," do you believe that the family — the parents or whatever that amounts to — should have and should include besides the formalization of state-controlled or province-controlled junior kindergarten? What other choices would you like to see for the appropriate care and education of children?

**Ms Gallimore:** I think the choice relates to access for a parent to a quality early education program. If we eliminate junior kindergarten as an option, we're eliminating parental choice for anyone who is unable to afford the alternatives in quality early childhood education.

**Mr O'Toole:** I appreciate that. You commented on the budget that there was the most in history — that's the famous quote — allocated to day care. I would close with the remark that the distribution and allocation are now the next phase of that. We're looking to Minister Tsubouchi's and MPP Janet Ecker's report. I'm sure you've met with her. I'll relinquish the balance of my time to other members on our side.

**Mr Skarica:** I didn't attend either JK or kindergarten and look how I ended up, which tends to strengthen your argument.

**Ms Gallimore:** I did and this is how I ended up. So there you go.

**Mr Skarica:** In my former career I was a crown attorney and attended numerous homes where I saw kids running around who were one, two years of age and older than that and going to school. There was no food in the house and they just weren't fed. Eventually you saw them in trouble, and it seems to me, JK or no JK, that would not benefit them. I don't know how many pre-sentence reports I've seen where the mother was an alcoholic or drug abuser, so that kid even in the womb had no chance.

This is a bit of a political question, that I concede. The government has committed millions and millions of dollars to remedying those types of problems, feeding kids before they go to school, \$10 million being committed to expectant mothers. Perhaps you could comment how you feel that would impact on those kids' education and that type of thing. It's a pretty leading question, I admit.

**Ms Gallimore:** It's not an easy question to answer. I think a lot of different components need to be put in place vis-à-vis an early intervention program. Early childhood educators certainly are trained to identify some of the problems, and if the children can access that program, they can be identified earlier. If we wait till five, as Fraser Mustard says, it's too late.

**Mr Skarica:** I would say even four is too late for some of the kids I've seen.

**Ms Gallimore:** Even four. I would advocate for a pre-kindergarten at age three, understanding the expense that would involve.

**Mr Pettit:** Thank you, Velma and Robyn, for your presentation. Are you aware, at least by the last count I had, that about 78% of the boards that to this point had reported had voted to maintain JK?

**Ms Gallimore:** I'm aware that a number of boards are maintaining JK in spite of the fact that it's not mandatory. The Toronto Board of Education has had junior kindergarten since the early 1950s.

**Mr Pettit:** Yes, so it is; at least the last count I had was about 78%. JK was certainly a burning issue in my riding of Hamilton Mountain, but one thing that came up quite often in my chats with various people was the ECE teachers. What is so unique about ECE training that makes it suitable as a background?

**Ms Gallimore:** We have an expert here on that.

**Mr Pettit:** Could you tell us what makes ECE training suitable as a background for teaching JK?

**Ms Doran:** Specifically, the most common form of ECE training you'd be familiar with would be the college early childhood two-year training program, the very fact that the program is two intensive years that focus solely on the early childhood years, so you've talking about a very comprehensive, specific program that trains individuals in those early years in comparison to some teacher education training that extends beyond those years. Does that answer your question or do you want more detail?

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**Mr Pettit:** I think it does.

Although the budget was just yesterday, what response have you had from any of your associates relative to the \$600 million allotted for child care which, as the member



for Durham indicated, was the most in the province's history?

**Ms Gallimore:** It's \$200 million.

**Mr Pettit:** Or \$200 million, additional.

**Mr O'Toole:** It's \$200 million additional. It's \$550 million now.

**Ms Gallimore:** It's \$600 million total for the year. That's what it will work out to.

Early childhood educators haven't had much of a chance to respond to that yet. We're waiting to see what Janet Ecker's child care review comes out with. I'll be very interested to see how that money will be used.

**Mr Pettit:** I would assume that you two see this as a positive step.

**Ms Gallimore:** Absolutely.

**Ms Doran:** A cautious positive step, and I would support the caution with the issue of quality as well. Certainly the AECEO has always spoken to the components of quality child care, and at this point we're not sure where this additional funding is going to be placed.

**Mr Dominic Agostino (Hamilton East):** Thank you for the presentation. I was caught by your comment on the third page of the brief where it says, "Eliminating junior kindergarten as a mandatory component of the formal school system sets up immediate barriers for children from disadvantaged families." I think it points to what Mr Skarica said in the sense of why we need mandatory junior kindergarten across this province. Often those kids need that type of structure, that type of setting, and have least access to it because of their family situation, because of economic conditions.

If you're going to tie in nutrition programs, most are going to take place in the school. You're not going to have somebody driving along in a truck, dropping off breakfast at kids' homes in the morning. It will happen based out of the school system. That points even further to why we need this program to be mandatory for those types of kids.

You made reference to the Calgary situation where they have user fees, an option of boards we will have to look at. This year I think some boards have been able to bite the bullet, have made some short-term changes and are going to be able to cope and allow the programs to continue. I don't buy that this will happen next year, the year after or the year after, because these cuts are still far from over. They're going to be deeper and deeper as the deficit numbers go out of whack again, so as that happens, these programs will be eliminated.

**Mrs Helen Johns (Huron):** They were out of whack when you were in government.

**Mr Agostino:** We're not going to talk about \$22 billion today.

Do you anticipate that as school boards move away from these programs, there will be a movement to go to user fees and make them an option? Then what happens to those kids whose families can't afford to get the programs?

**Ms Doran:** Clearly it comes back to the issue of the previous question about where the family fits in all of this. If we move into a user fee system, then clearly we'll have families from the haves and families from the have-nots, where there's not an equal playing field for the children, and that concerns us.

**Mr Agostino:** Obviously the kids who will be hurt the most will be at the lower end of the economic scale who often need help the most.

**Ms Doran:** That's right.

**Mr Patten:** First, let me commend you on your paper. I think it's highly focused and very powerfully stated. My worry is that the pedagogical argument is not the basis on which junior kindergarten is being offered as an option; it's purely financial, from what I've heard. Yet school boards, especially those that have had a long experience with junior kindergarten, will really try to keep that program because they know the value of it. As my colleague said, we'll see what happens with the financial pressures on the school boards, not just this year but next year, when some of the capital that has been frozen is translated into operational funds and they've got to remove some more teachers or some operational costs. That's disappointing.

If I could ask, Robyn, in terms of the training you talked about, you posit here a very strong scientific analysis of the physiological learning phases at that particular stage. Specifically in your training mode you said it's very intense in early childhood education, but could you be more specific? What kind of training enables an early childhood educator to really appreciate what you're identifying here? Some of the courses, for example.

**Ms Doran:** You want the specifics of the training.

**Mr Patten:** A little bit on that, yes.

**Ms Doran:** It's a two-year intensive program where students would study anything from child development specific to the early years; observing; where a huge amount of time is spent in preparing, setting up the environment; acknowledging the developmentally appropriate practice for young children. There's a huge emphasis on the DAP area. How much more do you want?

**Mr Patten:** Okay. I appreciate that.

**Mr Wildman:** Thank you very much for your presentation. That was very well done. Are you aware that approximately 20 boards have announced they will discontinue junior kindergarten now that it has been made an option?

**Ms Doran:** Yes.

**Mr Wildman:** Some of these boards did not have programs before and didn't wish to go to junior kindergarten and were only being forced to because it had been made mandatory, but this number also includes boards which had junior kindergarten previously when it was an option.

**Ms Doran:** Some of those are the larger boards in the province too, I believe.

**Mr Wildman:** Yes. Peel.

**Ms Doran:** Yes.

**Mr Wildman:** You also used the example of the Toronto board, which has had junior kindergarten since the 1950s. Of course they don't get any grants from the province — they're a negative grant board — so they've been paying for it out of their assessment anyway all these years. I'm concerned about some smaller boards that have decided to continue junior kindergarten but are making changes because of the financial bind they're in. I understand that some of them have combined junior

kindergarten with regular kindergarten programs; some of them have gone to every second day rather than every day; some that had full day have gone to half days and so on; others, in terms of the kindergarten program as opposed to the junior kindergarten program, are looking at 30 kids in a classroom, those kinds of things.

Do you have any information about the effects these kinds of changes the boards are scrambling to make just to keep the program going will have on the effectiveness of the program for kids?

**Ms Doran:** There is research available on the elements of quality early childhood programs, and one of the components of that research indicates there's a clear relationship between the program size, the teacher-pupil ratios and so on. I would have concerns about some of those implementation strategies, although I think those boards that have opted to maintain their JK programs have been forced to look at creative alternative solutions. You'll see one of our recommendations was for boards to look to the child care community to work together and collaborate to come up with some of these creative solutions. I think it is possible.

**Mr Wildman:** The Federation of Women Teachers' Associations of Ontario has indicated that it is not opposed to early childhood educators being involved in the junior kindergarten program. They have indicated they would like to see a teacher with a teaching certificate in some sort of overall coordinating role in terms of some of those programs. Those are the kinds of approaches you would be interested in pursuing; is that correct?

**Ms Doran:** We have had some preliminary discussions with the FWTAO around various forms of differentiated staffing models, but I come back to the point of the ECE training and how specific it is. There needs to be some assurance for equal opportunity in that teaching model, given the nature of the specifics of the ECE training.

**The Acting Chair:** Thank you for your presentation. It's much appreciated.

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TAM GOOSSEN  
JOHN DOHERTY

**The Acting Chair:** I call forward our next group, please, the school trustees for the city of Toronto. Good morning and welcome to the committee. Please identify yourselves and proceed.

**Ms Tam Goossen:** My name is Tam Goossen. I'm a trustee representing a downtown area from the Toronto Board of Education. I'm sharing this presentation with my colleague John Doherty.

I've been a trustee for eight years. Over the years, I've had countless discussions with our parents on education issues, including what we do at the Toronto board that makes a difference. These things include the way we encourage parental involvement; the way we challenge our students and teachers to think and act critically on equity issues; the way we provide opportunities for our students to be trilingual, learning a third language in addition to English and French, beginning in the elementary schools; the way we welcome our new Canadian students and families into the school community; the way we value early childhood education, in providing kinder-

garten programs as well as setting up day care centres and parenting centres in our schools; the way we value lifelong learning by respecting the right of our adult students to a good education in our schools; the way we establish some of our best education initiatives and practices in our inner-city schools and alternative schools. The list, of course, could go on and on.

It has been stated that the most significant factor affecting the programs and services offered by school boards in Metro Toronto is immigration. From 1980 to 1990, Metro Toronto received 59% of all immigrants to Ontario, and 45% of these immigrants came from Asia. Having come from Asia myself and being the elected representative of downtown Toronto, with a sizeable Asian population, I'd like to share with you some of my experiences working with Chinese Canadian parents.

Of the Chinese parents I know, some live in public housing — that may come as a surprise to some of you — some are tenants living in apartments and some are homeowners. A lot of them work shifts in factories or restaurants; a few are unemployed. Generally, they work hard and, like everybody else, they contribute towards the public education system by paying their property taxes. Not only do their children attend Toronto public schools; often they themselves are adult students in our day schools or other continuing education programs.

They may not speak much English, but they are concerned parents. They respect the child's teacher and consider the instructor who teaches their child Chinese in the neighbourhood school an extremely important person because, through her, they feel better connected to the school. They may not always find the time to go to all the PTA meetings at night, but when they go they know their participation is welcomed by those present and that there will be help with interpreters and child care.

The Chinese parents I know are quite aware of the importance of parent involvement, and they support the work of the Toronto Chinese Parents Association. Through that association, they make their presence known at the board level, through committees like race relations, parent involvement and international languages. They also know the importance of working with other parents from the black community, the Greek community, the Portuguese community, as well as inner-city parents, to make sure the board does its job of providing good programs that meet the needs of not only their children but others as well.

Like all other parents, they have high expectations of their children to succeed in school. At times, when they experience difficulty with their child, they know they have access to a Chinese-speaking social worker who can help resolve the conflict between an immigrant parent and child and make sure that the school acts appropriately.

Last year, when we had to cut \$20 million from our budget, we held a number of public meetings to consult with our communities, including some of those Chinese parents I have mentioned, as to where we should cut. To our parents, practically everything I mentioned earlier on the list is essential to meet the needs of our students. To them, it was worth all the property taxes they paid. It was the nearest thing to a public display of consensus: parents from all backgrounds and all parts of the city telling us they value the public schools; that they're willing to pay



their proper share of taxes to support a good public education; that they definitely don't want our public schools to deteriorate the way they have in cities across the United States.

What the proposed changes in Bill 34 are saying to our parents, however, is that the provincial government does not care what the needs of our students and communities in Toronto are. Not only would they not support junior kindergarten and adult education, they also want us to hand over a portion of the property taxes that our parents and other taxpayers entrust us with for the sole purpose of educating our next generation. Parents have told us that between having a vibrant school in the neighbourhood and receiving a tax cut cheque in the mail from the provincial government, they'd prefer supporting the school any time and will redirect that tax cut to the school board. I guess we'll have to set up a special fund for that purpose.

By the time the government finishes collecting all of its \$1 billion from the school system, there is no doubt that our schools will be in a sorry state. That's why I am here today to plead with you. Please vote against this bill. Don't lead us down this path of no return. By all means, learn from Ralph Klein, because he's now said to have said that he's gone too far in his government's cuts to education and health care, and he never even promised his citizens a tax cut.

**Mr John Doherty:** Thank you for the opportunity to address your committee on the topic of Bill 34, An Act to amend the Education Act. My name is John Doherty and I am a trustee for wards 11 and 12 in the city of Toronto.

Of the proposed changes in the legislation, I would first like to deal with the issue of the tax rate on educational dollars in Metro Toronto and Ottawa. The taxpayers in the city will not accept that money collected for the classroom be diverted to provincial coffers. The Toronto Board of Education agrees with this position. It is clearly unfair that money collected for education be stripped away from classroom programs. This contradicts the statement by the Minister of Education and Training in the House and the government party's promise made in the 1995 election.

I believe it is illegal for the provincial government to take tax dollars which have been raised for the specific purpose of education and divert them to the provincial treasury to meet the provincial government's own financial needs. The Toronto Board of Education funds its own operating and capital costs and has done so for many years. It also subsidizes the educational systems in the rest of Metro. We believe the Toronto taxpayers have already done their part. Enough is enough.

We are also leaving with the committee three motions, which I have appended at the back of the package, passed by the Toronto Board of Education. The motion dated April 1996 was adopted unanimously by the Toronto Board of Education.

On the issue of junior kindergarten, we believe this is a mistake and one which will only add to costs in the future. Junior kindergarten is a valuable and broadly supported program. The research is clear that young children benefit from this program and are better prepared to take advantage of the educational opportunities in

grade 1. Parents also support this program. The uptake of junior kindergarten when offered has been overwhelming. In excess of 90% of eligible children participate in the program. This is a clear sign of a successful and valuable program. Claiming that junior kindergarten is a local option has not been truthful with the public. These programs are being cut around the province and are being cut as a direct result of government cutbacks in education funding, cuts to the classroom.

In the area of adult education, we wonder where the government is going with adult education. Does the government mean to condemn adults to a second-class education system? Does the province have a plan for where they are going with adult education? It would appear that the main aim of these changes is to drive adults out of the public education system and to make adult education a full cost-recovery program.

The board of education has over a century of experience in adult education. We know that we can effectively and successfully help adults complete their high school education. This not only helps the individual and their family but the province as a whole. We would suggest the province withdraw this proposal and come back with a more clearly-thought-out policy direction on adult education which meets the needs of adult learners and the province.

Briefly, in the area of the reduction of sick leave days from 20 to 10, we believe the government has not fully thought out the implications of such a proposal. This proposal raises many complex questions. Will sick days be accumulated in the future? If so, how much? What impact will these changes have on the usage of sick days? If days cannot be accumulated, what will bridge the sick days with long-term disability plans? Will this future plan be more expensive than the current plan? That's certainly some of the discussions we have had at the Toronto board trying to look at the implications of such a change. It is not really clear that these moves have really been costed out and the alternatives examined for their full implications.

The government is going to have to address this issue with boards of education. We have to avoid quick fixes that look good on paper but pass on more expensive problems to the boards of education. This issue needs to be reconsidered.

Briefly, on the issue of co-op services, we can support this proposal. We have been developing co-ops for the last number of years. Some are being formally created; others have been informally in place over a number of years. We would only ask why there is no mandate to require the development of co-ops in areas such as busing. This would bring reluctant groups to the table and allow savings from these areas to be passed on to the classroom.

Thank you for your time. We would be pleased to answer any questions you may have.

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**The Acting Chair:** We'll begin the questioning with the official opposition, with six minutes per party.

**Mr Agostino:** First, to Ms Goossen, thank you for that insight. It was useful for some of us who represent communities where there's a new immigrant group; it's good insight to talk about some of the experience there.



Do you see the cuts impacting much more negatively on inner-city schools, in schools where English-as-a-second-language neighbourhoods are an important component? Do you see the direction of these cuts having a greater impact on that core than you would, say, in more affluent neighbourhoods and in schools in those neighbourhoods?

**Ms Goossen:** Absolutely, especially if it comes down to one of the many rumours that have been floating around, the whole issue of user fees. That obviously will impact. If you start talking about charging user fees for after-4 programs, even for teaching the international languages and all the other stuff, then it becomes a crazy situation for our inner-city parents, because this is in addition to the many other cuts outside the education field. Absolutely.

**Mr Agostino:** Mr Doherty, on the cuts to the classroom, as school trustees you've seen the front-line impact, regardless of what we're told here in the House by the minister and the government. You're on the front line, having to make those decisions. Have you seen an impact to the classroom directly as a result of the cuts that have come from the provincial government to the boards of education and the potential now of taking money out of Toronto, obviously, and spreading it across the province?

**Mr Doherty:** It's clear that if there is money extracted from the Metro boards of education, what they call taking up our portion of the provincial restraint program, we will have impacts in the classroom. There will be less money for field trips, there will be fewer educational assistants in our special-needs classes and there will be fewer teachers.

You have to remember that this is on top of what in the Toronto board alone has cut \$75 million out of our program mainly because of our declining assessment base in Metropolitan Toronto. In the schools in my area, most class sizes are going to be increasing by about four students in this one year alone, and they have probably increased between six and seven over the last couple of years.

We don't have any more flexibility left in our budget. This will come out of the classroom; there is no other place left.

**Mr Patten:** Thank you for the presentation. I have a question for each of you. Ms Goossen, you seem to suggest the high value the new Canadian population places on education, that they're very concerned and want to participate. Did I read, or was I mistaken, that your board was considering a school tax increase for the coming year, about 1.9%?

**Mr Doherty:** On our year, we had a 1.5% tax increase for 1996 because of our enrolment increases that were still growing by about 2% a year.

**Ms Goossen:** But that's not the city of Toronto board decision alone; it's after discussion at the Metro board earlier.

**Mr Patten:** Good. Mr Doherty, related to the issue of local taxation, some people say no matter how, the government will get the money from your board. Can you tell me what pressures or threats are there to extract the money they're looking for?

**Mr Doherty:** Certainly the agreement negotiated between the Metro board and the provincial government,

which the Toronto Board of Education opposed, shows there is a variety of ways, without us writing a cheque, in which money can be extracted. There are things like section 27, which is that in hospitals and institutions, where if there is someone in jail from another part of the province who's down here or a child has to come to Sick Kids Hospital, the Toronto Board of Education is supplying the teachers at Sick Kids. Those types of things can be removed.

We have been directed by parents' meetings across the city to investigate all legal methods to oppose such a thing, one, because the classroom is the key thing and we don't want to lose any more money, and second of all, parents have said: "We have elected our representatives to set a tax rate. We have decided to invest our money in these services and we do not believe they should be diverted to the general coffers of the province. The province has a tax problem; they need to solve it themselves. We have our own priorities and we don't have excess cash lying around."

**Mr Patten:** What about the threat of pooling?

**Mr Doherty:** It's certainly a threat, but I think pooling is an enormously politically difficult problem to institute. There are all sorts of opinions all over the place about that, but certainly we would be big-time losers in pooling. We have already pooled with Metro. We raise 42% of the money in the city of Toronto but only spend 28% of it, so we already have shared our tax base significantly, and to take it would only mean further program cuts.

**Mr Wildman:** Thank you for your presentation. I very much appreciate it, looking at the various aspects.

I'm looking at some of the material you have appended to your presentation. Under the heading "Myth # 3 vs Reality, School Board Administration," the third bullet, you refer to the Sweeney report. Mr Snobelen and the Conservative members of the House are wont to quote Mr Sweeney's report. Mr Sweeney has said that he estimated 47% of school board expenditures were outside the classroom. In this, you say, "Sweeney used another definition of administration which included teacher prep time and capital expenditures." I guess some of the capital expenditures would be expended on building classrooms.

**Mr Doherty:** Putting a roof over the classroom.

**Mr Wildman:** "Sweeney concluded the administrative costs of boards ranged between 12% to 36% of total expenditure. Metro public boards averaged 19%." Obviously, there are a lot of numbers here. You refer to other percentages. Does the Toronto board have an estimate of how much is expended, first, on what you would define as administration, and then an overall expenditure outside the classroom?

**Mr Doherty:** As people say, there are lies, damn lies and statistics, but I think our general ballpark figure is that around 10% or 11% is spent on administration by our own account. We view that caretakers in the school are part of providing classroom services. We say that having a working boiler in a school is part of operating a school. So we look at all those expenses.

**Mr Wildman:** In other words, heating and cleaning the classroom you consider to be part of classroom education.

**Mr Doherty:** Yes, and providing a social worker for a child with emotional social problems and who doesn't

have the ability to sit still in a classroom. Withdrawing that child and trying to work with the family and with that child we believe also is support for the classroom.

**Mr Wildman:** Let me get straight here what you've just said. You're saying that you've cut over the last two to three years already substantially.

**Mr Doherty:** Yes.

**Mr Wildman:** So if you have to make cuts this year, which you expect you're going to have to do, it's going to have to affect the classroom. My question is, does it affect the classroom in terms of fewer teachers, meaning larger class sizes, or does it just affect the classroom in terms of custodial services, heating the classroom? And what part is played in that mix in terms of special-needs kids?

**Mr Doherty:** I think it's going to affect everything. Obviously, the class size is partly determined through contract negotiations we have with teachers in deciding the ratio of how many students generate a teacher. About 50% of our budget goes towards the classroom teachers themselves. They will take a hit and class sizes will increase if we have to make the type of cut, a \$65-million cut, in order to pay the province. A portion of that money will inevitably come out of class sizes, at the high school level as well as the elementary. As well, we will have to reduce things like educational assistants, social workers, psychologists.

And you just start stretching out the repairs longer. We paint a school every 18 years whether it needs it or not. Next, it's every 22 years, it's every 23 years. You ask schools in Mr Silipo's riding where they have two boilers, and they operate now with one boiler because of the expense of repairing the boiler that has to come out of our operating budget.

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**Ms Goossen:** I'd like to supplement that. Earlier, around the budget cutting, we certainly went after the administration and reduced the number of caretakers. The proposal was to cut our education assistants by half, as well as reducing the number of social workers and child psychiatrists in the school system. You should have seen the outcry from the community. That's what I was mentioning, the public display of consensus. We suddenly realized that these things, I suppose from administrators, even from our board's administrators, might be considered as something that may be a little bit less important to the running of the school. The parent community suddenly had a very different view of what they consider essential in the running of the school.

**Mr Tony Silipo (Dovercourt):** I appreciate very much the presentation. I just want to ask either or both of you if you could comment on what I know is a perception that a number of people in this room and many people perhaps across the province have, which is that in Metropolitan Toronto or the city of Toronto, whichever you want to take, we're able to spend a lot more on a per-pupil basis because we have such a rich tax base, and that somehow that needs to be brought down more in line with what's being spent in other jurisdictions.

I wonder if you could comment on what accounts for the need for that additional spending. You've got some useful information in the background documents, but I just wondered if you wanted to comment on that.

**Ms Goossen:** I'll just make a first attempt here. I think the stats from the Metro board here are very useful because they really set out the 905 boards and the Metro boards on every item.

The one area that could be interpreted as out of line a little bit is the building, the maintenance fee. We really have older buildings. In addition to that, we have what I would consider a good community use policy. We allow a lot of community groups to come and run all sorts of programs for the benefit of the communities, and that requires extra maintenance costs. Especially when it's used outside the regular weekday, when it's a weekend, we ask the community to shoulder some of that cost, but still, overall, our schools are really used almost seven days a week, and for the most part of the year. So compared to other boards outside of the city, we are really, I suppose, a welcoming place for all communities.

**Mr Newman:** I'd like to welcome the trustees. Does pooling exist within the boards in Metropolitan Toronto right now?

**Mr Doherty:** Yes.

**Mr Newman:** It does. In other words, some boards get more than what they put in. You've said that the city of Toronto puts in 42% and only spends 28%. Also in your presentation here, you mentioned that the taxpayers of the city would not accept money that was collected being diverted to the provincial coffers. Are your ratepayers outraged that money collected in the city of Toronto is spent in the city of Scarborough?

**Mr Doherty:** I think there's some frustration about it, but to a certain extent we've been living with it since 1954. But certainly when they look at that, when any of the parent associations decide they're going to get into where we get more money, they look at the fact that we're collecting 42% of the money and it's going out to Scarborough. They're saying: "We've got needs here that are not met. What are you doing sending the money out there?"

**Mr Newman:** But does pooling work within Metropolitan Toronto?

**Mr Doherty:** It probably has achieved the purpose that it was set out for, to build up the schools in North York, Scarborough and Etobicoke.

**Mr Newman:** Is that a yes?

**Mr Doherty:** Well, would I want more money for schools in my area? Yes, I would, and I think I could use the money that we raise here.

**Mr Newman:** The other question I had is that you mentioned the figures for Metropolitan Toronto in terms of immigration from 1980 to 1990. What are the figures for the city of Toronto?

**Ms Goossen:** I don't have the Toronto figures. At this point, though, depending on the area the immigration comes from, I suppose a number of — like Scarborough or other places may share.

**Mr Newman:** I'd just like to put on the record that 15% of all new immigrants to Canada settle in Scarborough. Scarborough is included in those figures and I just wanted that to be brought to your attention.

**Ms Goossen:** Oh, yes. It's included.

**Mr Newman:** The last point I had was, do you support the regulation change that changed enrolment count dates



from September 30 to October 31 and February 28 to March 31?

**Ms Goossen:** I don't really support that because in Toronto I mentioned alternative schools and I also mentioned a lot of our adult students are in our day schools as well. I think part of that is there is maybe a higher percentage of movement in our schools, so it makes the job of administrators to fix that number very difficult. So we do need a longer period of time in that sense to really fix on a number.

I think what we've been doing is fine. To suddenly push the count date later would mean that up front we would have fewer teachers to deploy, and then later on how to try to get them back is something that is not really good to the running of the school, to run our programs.

**Mr Newman:** Is that your position or the Toronto board's position?

**Ms Goossen:** We don't have an official position on this, but this is something from our experience of dealing with our schools. There's always this almost frantic activity at the beginning of the term to try to figure out the exact number of the students and to get the teachers.

**Mr Doherty:** I think it also depends on the type of school. In our collegiates, the population tends to be far more stable, but we have a lot of re-entry programs where we try to go out and get the kids who have dropped out to come back. In a lot of those programs we have continuous intake. It is a struggle sometimes with those kids, and if you don't have some flexibility in that, if you're constantly under the threat of losing it, then there's not much interest in going out and reaching out to those students who are on the streets, who don't have a role in society and have no future. We're saying we need some flexibility to go out and get them, and if you're constantly counting and losing staff then it takes away the incentive to reach out to those hard-to-serve people.

**Mr Skarica:** I'm an immigrant to this country as well, and when I came to Canada I couldn't speak any English, which I'm sure is no shock to anybody here. I spent all my schooling in the Wentworth County Board of Education and I'm looking at their administrative costs. For elementary, they're \$39 per student and \$69 per student, and I'm looking at yours and I see \$95 and it's \$81 and \$114 respectively. So that's anywhere from 60% to 100% higher.

**Mr Doherty:** What are you referring to?

**Mr Skarica:** What I'm hearing from them is that they have done everything they can to reduce their administrative costs, and this is what I'm hearing from them and other 905 boards, that they feel your administrative costs could be cut down. For example, the trustees in my area make well under \$20,000. It's well publicized that the Toronto trustees make substantially more; I think the figure is \$49,500. As well, the Public Sector Salary Disclosure Act indicates that there are 35 superintendents or supervisors who make over \$100,000. In our board, there's only one.

I have a question to you. I'm hearing from the 905 people that there is room to cut administratively in salaries, trustees' salaries and supervisory salaries, and I'd like you to perhaps comment on that.

**Mr Doherty:** On the salary part, I know that people in Toronto have debated that issue in probably most elections since 1988 and I think it's been clear they've overwhelmingly chosen people who said that this is a full-time job in the city of Toronto and have voted that way. I think that issue has been politically settled in terms of our own accountability in that process.

Other cities have chosen to go a different route, and I think that's the type of local options we serve. I think that, from the public disclosures, we have continued to reduce the number of superintendents. Already there are over six of those people on that list who have retired and have not been replaced by the Toronto Board of Education in that area, and we're still continuing to decline. We try to provide some explanation about the differentials in costs between our boards and the 905 boards and I don't think there is a significant difference in costs in that area.

If you want to sit down and look at how we can improve our organizations, I think any organization can always improve its efficiency, but I would rather see the benefits of those efficiencies directed back to the classroom, not to the provincial coffers.

**The Acting Chair:** That concludes our time. Thank you very much for your presentation.

**Mr Agostino:** One quick point, and I'm sure it's going to be addressed: I'm sure it simply was an oversight, but when you look at all the presenters in the next day or two that we still have left on this and up till now, there's been absolutely no representation from any separate school boards or associations.

**Mr Wildman:** Mr Hogg.

**Mr Agostino:** He wasn't representing the Metro separate school board. He was representing the reform group, the reform network. I hope that gets addressed and dealt with in the other hearings. I know requests have been made, by OSSA; the teachers' federation has made requests; the separate school boards have made requests. I just want to make sure there is a balance in the presentations, that separate school boards are also part of the list. I think we've got to be careful in the other hearings across the province that doesn't happen.

**Mr Pettit:** There is a process that all three parties —

**Mr Patten:** I believe the subcommittee will address that question. We haven't had a chance to talk about this, but just to assure you that we're conscious some groups have felt left out, and we're going to try and fit them in at some of the other centres. In some cases, they're going to have some concerted or joint presentations. I think we'll cover them all off.

**The Acting Chair:** Obviously this is something that happens with many committees.

**Mr Agostino:** I wasn't making an accusation that it was a deliberate thing or anything else, but I just think we have to be aware, to make sure that — and I did that in a thoroughly non-partisan way.

**The Acting Chair:** I think all three parties are sensitive to that. There will be a subcommittee meeting, actually, to the relevant members of all three parties, in room 110 across the hall here in the Clerk's office immediately following this meeting.

This committee stands adjourned until Monday, May 13, at 3:30 in the afternoon.

*The committee adjourned at 1203.*



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### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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**Vice-Chair / Vice-Président:** Gerretsen, John

(Kingston and The Islands / Kingston et Les Îles L)

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\*Pettit, Trevor (Hamilton Mountain PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Miclash, Frank (Kenora L) for Mr Gerretsen

O'Toole, John (Durham East / -Est PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

**Also taking part / Autres participants et participantes:**

Silipo, Tony (Dovercourt ND)

**Clerk / Greffière:** Lynn Mellor

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 13 May 1996

# Journal des débats (Hansard)

Lundi 13 mai 1996



## Standing committee on social development

## Comité permanent des affaires sociales

Education Amendment Act, 1996

Loi de 1996 modifiant la Loi  
sur l'éducation

Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Monday 13 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Lundi 13 mai 1996

*The committee met at 1534 in room 151.*EDUCATION AMENDMENT ACT, 1996  
LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Consideration of Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

**The Vice-Chair (Mr John Gerretsen):** Before dealing with the first delegation, there is a report from the subcommittee on committee business that I would like to deal with first, please. It's a very short report. Could I have a motion that we accept the report of the subcommittee?

**Mr Toni Skarica (Wentworth North):** What does it say?

**The Vice-Chair:** "That the initial amendments to Bill 34 be in the office of Lynn Mellor, committee clerk, on Friday, May 17, at 4 pm, and that one copy of all amendments received be available for each caucus for pickup...."

**Mr Skarica:** Here it is. Yes, okay.

**The Vice-Chair:** You didn't think I'd have you move anything else?

**Mr Skarica:** You never know.

**The Vice-Chair:** Are you moving that, Mr Skarica?

**Mr Skarica:** Yes.

**The Vice-Chair:** Is there a seconder?

**Mr Trevor Pettit (Hamilton Mountain):** I'll second that.

**The Vice-Chair:** Mr Pettit seconds it. Any discussion at all on it? All those in favour of the subcommittee report? Carried.

ONTARIO PUBLIC SCHOOL  
BOARDS' ASSOCIATION

**The Vice-Chair:** Next we have our first delegation, the Ontario Public School Boards' Association. We have with us the president, Donna Cansfield, and the executive director, Mike Benson. Welcome to our meeting.

**Ms Donna Cansfield:** Thank you for the opportunity to present on behalf of the public school boards in this province. We serve 1.7 million learners in Ontario and represent over 90 public school boards.

**General comments:** We recognize that the intent of the legislation is to implement previously announced government policies for the purpose of managing decreased education transfers. The association has continuously stated its intention to work with the provincial government in attempting to find the best possible solutions for

all parties to achieve the government's difficult goal. However, the association has become increasingly disappointed with the government's lack of specific measures to address the impact of the policies on the province's students, teachers and property taxpayers.

For example, Bill 34 will make junior kindergarten a permissive program. The association urges the government to proceed as quickly as possible with a review of alternative staffing.

The Minister of Education and Training has publicly stated that early education and junior kindergarten are under review by the minister. Before any other decisions are made, we urge the government to complete this review and make the results public. The association also urges the minister to consult with the public boards and others in the education sector prior to the government's decision.

This was a particular piece of the bill that we found somewhat disturbing inasmuch as differentiated staffing currently occurs across this province and has occurred across this province for probably 22 years, so we found it rather amusing to see that this was here when — I'll give you an example — my own board has itinerant music teachers. That is differentiated staffing. We also have a youth counsellor. The Toronto Board of Education has had library technicians for over 22 years, so we can't figure out why this particular issue can't be addressed as it has been in the past. In 1960, for example, we had differentiated staffing for junior kindergarten in the city of North York. Since it has existed in the past, we can't figure out why this is an issue now. It's one of the reasons our association had asked for it. It's happening in some jurisdictions; permit it to happen in others.

Our recommendation is that the provincial government proceed as quickly as possible with its review of the value of the junior kindergarten and early childhood education programs and that it make the results of its study public. The association and other education partners must be consulted prior to the government's decisions regarding junior kindergarten as an early education program.

Our next issue is around adult education. Bill 34 amends the Education Act by adding a new section which will permit a board to direct certain persons, as described in the section of the bill, to enroll in a continuing education course or a class operated by the board rather than a secondary school program. We value the role that adult education plays in our schools for a variety of reasons. Obviously one is that once the adult is in, there's more encouragement for the adult to participate with the child.

There is an issue, though, around the proposed addition to the Education Act. For example, it states, "A person

who has been directed in accordance with this section to enrol in a continuing education course or class does not have a right under this act to attend or be admitted to any class or course provided by the board that is not a continuing education course or class."

We're very concerned with the wording of this paragraph. Our legal counsel has indicated that this could be considered "indirect" or "constructive" discrimination under the Ontario Human Rights Code. It could be argued that while discrimination based on age is not definitively expressed, the criteria laid out in the act result in exclusions, restrictions and preferences based on age. The province could be charged with and would have to defend challenges under the Ontario Human Rights Code. We ask that this issue be looked at and reviewed.

**1540**

We believe in the fundamental principle that a secondary education must be available to all, regardless of age. Restricting the access of students over the age of 21 violates this principle. If the economic future of this province is dependent upon a well-educated workforce and if you truly believe in lifelong learning, the one thing you don't do is restrict that learning. If anything, you would think you would find ways to encourage that learning to continue rather than put restrictions on it.

We've wondered why, again, we weren't part of the consultation on this on how we could provide the education that's needed as we go into the information age. I understand they're now writing the text. The fact that we're now out of the information age and going into another and that you wouldn't continually encourage education to continue as a lifelong process seems rather restrictive in this particular case.

Actually, the statistics are that in 1993, 77.8% of all adult continuing education expenditures were at the public boards of education. Over 80,000 learners over the age of 21 were enrolled in adult day school programs in public schools. What we've been able to do is provide courses that meet the needs of those students so that they're not necessarily at the regular school day. A good example would be what's happening in Metropolitan Toronto where they can accommodate these students. They start at 3 and they go until 9 in the evening.

The other issue that is significant is the difference in the funding levels. A provincial grant for a full-time equivalent secondary student is \$4,920, which is already considerably below the actual cost, while the grant for a continuing education student is \$2,257. The difference in funding levels will, for many boards, be the deciding factor when determining whether or not to offer adult courses as part of the secondary program in the future.

I believe that if the folks had done their homework, they would realize that in particular parts of this province there are continuing adult classes in regular day schools in order that the regular students can have a course, because there are no other opportunities. There are many parts of this province where we don't have colleges to offer adults someplace to go to take courses. So of course they do in their local school, and what it does is it enables the school to provide a good course because of the mass of folks for both the secondary student and the adult student. Now what you're going to do is penalize

the secondary regular day student because there will not be sufficient mass numbers in order for the course to go forward.

That's part of looking at the variety, the diversity within this province and the complexity in running a secondary system. There's no one quick-fix solution that fixes the whole province from one perspective or another.

Our recommendation is that section 3 of Bill 34 be deleted, based upon the principle that education leading to an Ontario secondary school diploma must be equally accessible by all learners regardless of age.

If the government persists in changing the definition of an adult student, the association recommends that section 4 be strengthened to recognize an exception where a specific course is not provided within a reasonable travelling distance.

We recommend that in the exceptions where adults may attend as regular day school students, they be funded as such.

**Cooperative service delivery:** This particular bill permits boards to enter into cooperative agreements for a variety of bodies for specific purposes laid out in the act. The long and the short of this is that it's nice and it isn't going to make a hill of beans as far as working together.

One of the reasons this association came forward in the beginning to ask that this be mandated was that we have the facts, the statistics to prove to you that it isn't working where it is permissive. The boards are using this particular section of the act as a means not to work together, and we're saying that if you want to redirect those dollars back into the classroom, it makes sense for shared services in terms of transportation, buses, paper, just about anything and everything that you can think of that doesn't have to have a specific public or separate attached to it. There are no public buses; there are no separate buses; there are simply yellow buses. They should be taking the children to school regardless of which school it is.

As long as it is continued that you encourage to separate, then that will continue to happen because the boards are simply not working together if they do not have to. This is probably the one area where we were particularly disappointed with the government.

We recommend that this section be deleted and the following text as per private member's Bill 37 be substituted:

"Where two or more boards have the same or part of the same area of jurisdiction, the boards shall cooperate in the provision, purchase and use of goods and services."

We support the concept of reporting on cooperative measures undertaken.

With the extractions from the grant-negative boards, we're very concerned to see this particular piece of legislative amendment. The accountability for the collection of provincial taxes lies with locally elected politicians and not with the provincial government, and we do oppose the legislated effort by the provincial government to force school boards to give locally raised funds to provincial general revenues. Such action would be considered an indirect tax on the part of the province and, as such, could be challenged as unconstitutional.



We recognize the government's intention, however, to equally influence all boards' budgets with regard to the cuts in education, and we suggest that the reductions for those boards that currently do not receive government grants should be negotiated with the affected boards and not legislated. This method worked well during the situation with the social contract extraction, and it also should be noted that the boards affected by a negative grant could be increased without public consultation by simply changing the grant distribution form.

This is where we have our particular concern. You change the grant distribution form and you could make a significant number of boards in this province negative. Then there is nothing that would preclude this government from forcing all of those boards to give over taxation. We find that an unacceptable way to decrease the provincial debt load. This is something that happened in Alberta, and we're not particularly pleased to see that the possibility exists that it could happen here.

The clause gives the provincial government potential power to access funds that are now earmarked for local education spending in communities across Ontario. As I indicated, this is what happened in Alberta. A few per cent of those dollars went into the consolidated general revenue fund instead of into education and now the children in Alberta are suffering for that.

Our recommendation is that section 9 of Bill 34 be deleted, and we suggest that the provincial government negotiate any necessary reductions to negative-grant boards with the affected boards.

With regard to teachers' sick leave entitlements, we recognize that this amendment gives boards greater flexibility in negotiations and is supportive. We're supportive of any amendment that would give school boards the choice of action when negotiating with their employee groups. We're just simply disappointed that we didn't have more flexibility and more opportunity.

Although we are concerned with some of the legislative amendments in Bill 34, we believe in the long run the proposals contained in the bill will not produce significant savings for boards but actually will increase bureaucratic red tape. I brought with me the regulations under which education exists. Actually, they ran out of paper and they printed a few more.

Just to give you an idea, we put forward to this government almost 30 potential changes to try to get rid of this, or reduce this somewhat. You know the principle KISS, "Keep it simple, stupid"? Wouldn't it be nice to run a system that wasn't bungled by so much red tape?

We could go through and give you a litany of examples, both within this government and all sorts of other ministries, which restrict our opportunity to do our job in an effective and efficient way. We lobbied the government to try to manage some of those changes and we weren't very successful.

As I indicated before, we have concerns around the age of the adults. We do, however, recognize that there is another area out there with adults who are immigrants and refugees, and typically they are funded under the LINC program, or language instruction for newcomers to Canada. We would not like to see any restriction of access of those kinds of federal dollars to meet the needs

of the immigrant and refugee adult population in this province.

The tangible opportunities for cost savings must be captured by this government if it is serious about giving local school boards measures to manage the cuts to the education system. Quite frankly, the legislation that's included here leaves the school boards with minimal flexibility to adjust to the funding cutbacks.

#### 1550

We ask again that you be more involved with us and simply ask us where we could work with you to find solutions to help us manage the kind of cutbacks the province is proposing for the school boards. As it stands now, the reason you see the significant number of adjustments in the number of folks out there, the teachers declared surplus, is that unless there are opportunities where we can capture the savings and direct them back to the classroom, it simply translates into jobs and programs.

I think junior kindergarten is an excellent example. Rather than provide us with the flexibility to offer this program with differentiated staffing, as it had been offered in the past, so that we could keep a program that we all know is good for children — the lists and lists of research material are there — instead the program is gone, the children suffer and there are no jobs. Nobody wins, least of all the children in the province.

That's where we are concerned. We appreciate the need to deal with the serious financial situation of the province, but we would sincerely like to work with you to find the solutions, and we believe we can do that if the government is prepared to listen.

**The Vice-Chair:** Thank you very much. We have about five minutes left for each caucus, and I believe today we start off with the NDP.

**Mr Bud Wildman (Algoma):** Thank you for your presentation. I was interested in your comments with regard to adult education. Are you concerned that if you have to move to the continuing education model and level of funding, there are a number of adults who are currently benefiting from returning to the public school system who will not have access to education programs that will enable them to graduate or to gain their graduation equivalency?

**Ms Cansfield:** Absolutely. The assumption is that continuing education classes are offered around the province; the fact is they are not. The reason is because there is no place to offer them. A number of schools just don't have the facility or the capacity to offer continuing education programs, so where possible they encourage the adult to become part of the regular school system, especially in the north.

It's foolhardy, to suggest that you can just slip from one model into the other, because the infrastructure isn't there. You'd have to recreate the infrastructure. Again, I keep saying it: This province is the size of western Europe. It's not tiny. You can't have one-size-fits-all. Mike has a perfect example: It doesn't work in pantyhose and it doesn't work in education. You've got to look at the needs of the community and fit the needs to meet the community, as opposed to Queen's Park trying to find a solution that will just blanket everybody.



Adult education is a perfect example. In Metropolitan Toronto we have far more flexibility by virtue of critical mass, but even at that, if you take away our opportunity to provide full adult schools because you're going to claw back through the negative grant, what will happen? You'll cap the number of accessible adults into the program. "Excuse me, you can have some lifelong learning, and no, you can't. You're 101 on the list, and you're 102 and you don't count." You have to look at the needs of the people out there.

It would have been far simpler to sit down and say, "Okay, here's the problem, bring the folks in, and how do we find a solution?" as opposed to writing a piece of legislation that's very restrictive by its nature.

**Mr Wildman:** I notice, and you alluded to it just now, your concern about inadequate consultation prior to the drafting of the legislation.

As an aside, Mr Chair, after watching Mr Saunderson's performance in question period today, I'm not surprised that they didn't consult with the boards. It's obvious from his performance today that Mr Eves and Mr Harris didn't consult with him with regard to VLTs.

If you were asked your opinion prior to the drafting in regard to adult education, how would you respond to the comments that Mr Snobelen has made before this committee that adults, by the very fact that they're adults, don't need the same kind of program that is designed to serve adolescents and essentially are self-motivated and can perform without all the supports that might be provided by the secondary school system for adolescents?

**Ms Cansfield:** There's no question that adults learn differently. Some are visual learners, some are aural learners. People learn differently; even the children do. But if the intent is to get somebody back into the school system to go on to a post-secondary situation, then at some point you're going to need someone to teach them OAC physics, and I'm suggesting to you it isn't necessarily a continuing education teacher.

Had I the opportunity, I would have suggested we bring in, because of distance, distance learning, the independent learning centre, TVOntario, which has an extraordinary background in curricula and distance learning, the boards from the different regions that would be affected, both large in critical mass and small in terms of rural and northern, and sit down and problem-solve how we could do this in a more effective way if it wasn't just a cost issue of reducing dollars but actually providing good education for those folks out there.

We were trying to do that on the ed finance reform working group, where we indicated we appreciated that adults necessarily might be funded differently from junior kindergarten, and I'm sorry to say the decision was taken out of our hands and pre-empted by the government. They made the decision before we even had an opportunity to address the issue. I still believe we can do this if we bring folks together to problem-solve on how we can provide an education to an adult in this province.

**Mr Wildman:** If there is not a change in the provision under the bill, do you think the commitments made by the minister will enable boards to avoid adversely affecting classroom education in meeting the targets they have to for cuts?

**Ms Cansfield:** No. It will affect the classroom and it will affect the secondary classroom. In those areas where the adults are part of the secondary class, it actually will affect jobs if that class is cancelled. So it will definitely affect the classroom.

**Mrs Julia Munro (Durham-York):** When we're talking about continuing education and adult education, I wonder if you could explain the difference for us in terms of courses of study and the certification of teachers in those two situations.

**Ms Cansfield:** In a continuing education course, that could be ballroom dancing, it could be upholstery, any number of those types — bridge lessons. In an adult, it's a credit course, the same as any secondary student would receive in order to achieve their secondary school diploma, and they must have 30 credits in order to get that and six OACs in order to go on to a post-secondary institution, in particular university.

You must have folks who are capable of teaching those types of courses, and currently only a school gives an Ontario secondary school diploma. By limiting the access to an adult, you limit them to the access of that OSSD. I know then the next thought is, just give them a GED, a general education diploma. Prior learning assessment — you know, you've done this, therefore you get that credit. Unfortunately, universities don't like GEDs. They would prefer something that has a little more substantiveness to it, such as a diploma.

**Mrs Munro:** I want to ask a further question related to that. Aren't credit courses also included in continuing education?

**Ms Cansfield:** It depends on how the boards put their continuing education together, and each board is different — again, meeting the needs. It may fall under the umbrella of it, but under that umbrella will be the credit courses, the non-credit courses and the general interest courses, because the school boards also will offer such things as English-as-a-second-language non-credit courses in addition to English-as-a-second-language credit courses, again depending on the needs of the student in terms of achieving a secondary school diploma.

**Mrs Munro:** Would they not do that according to the demand within the community?

**Ms Cansfield:** Sure they would, of course they would, but the difference is that a secondary school diploma requiring a teacher who is certified to teach physics cannot be served at \$2,267 a student. It requires more money to do it. I'm not suggesting the money that's there is the only way, but we weren't given an opportunity to try to problem-solve on how we could accomplish both and what we're saying is we would have liked that opportunity.

1600

**Mrs Munro:** Is it possible to look at this in terms of a per-credit funding as opposed to an overall funding?

**Ms Cansfield:** That's certainly one of the ways they've started to look at it in Alberta, that the money travels with the student and is based on the credit. That's an opportunity that could be looked at, but it was not part of any discussion.

**Mr Bruce Smith (Middlesex):** Thank you for your presentation. I found your comments on cooperative

service delivery interesting. Does the association keep any data on the number of boards that are currently involved in cooperative servicing agreements? Do you have that type of information available to you?

**Ms Cansfield:** We put together something called An Exemplary Practice which was commissioned by the previous government where we looked at those boards that are in a cooperative delivery model and we do have some of those.

Unfortunately, we have far more which are not in a cooperative delivery model and I can give you Metropolitan Toronto as a good example. I'm a trustee in Etobicoke and I sit at the Metro level as well. When we first started to look at cooperative services and we asked the separate folks to come and speak to us, they wouldn't even come and speak to us; they weren't even interested. "When it suits our needs we'll be there."

I'm sorry, I'm very concerned about keeping dollars in the classroom for children and minimizing as much the impact on our employees whom we value. Turf is something that has to be stopped. We need to find ways to look at those administrative areas that do not impact in terms of providing the service, so busing is a good example, purchasing paper is another, pencils, computer services. There are any number of areas where we could be working together and we're talking big dollars. We're not talking a few million. We're talking \$200 million, we're talking big dollars and unfortunately, it's not been goodwill that is encouraging us to conform.

**Mr Smith:** Of the 90 boards that are members of your association, can you give me any idea of the number of cooperative servicing agreements that exist pre-Bill 34?

**Ms Cansfield:** We're probably 10%, maybe 15%.

**Mr Mike Benson:** I think it'd be a little more than that. We don't have precise numbers on that. Part of the problem here is that the funding mechanism itself does not encourage cooperation. Busing is a classic example and that really needs to be fixed so that there's a fiscal incentive to cooperation or a penalty for not doing so, that kind of thing is another approach to take, but this is too weak.

**Ms Cansfield:** In the north they've had a number of cooperatives that have been very successful. By virtue of geography, they've been able to do it. In the south in particular, because they don't have to, the geography doesn't constrain them, they've just maintained their own independence.

**Mr Richard Patten (Ottawa Centre):** Good to see you again. Let me try to summarize what I think is your overall message, and if I'm not correct, please correct what I say. It seems to me what you're saying is, "Listen, if you're going to cut, then work with us to look at the best way to do it and on what kind of bases, over what kind of period of time," realizing that things have to be financed and that having gotten into the budgets of the school boards, to protect the classroom, and mucked about on this and that and one thing or another, I believe you're saying that has now caused a whole variety of problems for the system and vulnerabilities for the government, legal and otherwise. Is that a fair statement?

**Ms Cansfield:** You've summarized it very well.

**Mr Patten:** Thank you. Would you hire me?

**Ms Cansfield:** Absolutely.

**Mr Patten:** Thank you. All right, in terms of this whole discussion, and you've articulated very well today in terms of adult education — I'll come back to junior kindergarten in a moment — it seems to me those practitioners directly in adult education seem to be saying to us, "We have a chance to work with the whole person." It's not a course-by-course arrangement; the atmosphere, the context, the support structures are very different for people who are in or have been in vulnerable positions. To provide that extra support is decidedly different, and that is what gives that program a highly respectable success rate at this particular point. Someone who is venturing back to school after having gone through various difficulties — and we heard some personal stories here last Thursday, which were quite heart-wrenching — that this makes a decided difference. You need skilled people, you need certified people to work with this, and in the end we may be penny wise and pound foolish because we will not be providing the support for people to either go on to higher education or go into the workforce. How does that fit with you —

**Ms Cansfield:** You're right. If the intent is to educate folks to go back into society in a productive way, then I think it's incumbent upon all of us to sit down together and find a way to do it. Had I been asked, had the association been asked, we would have pulled in people like TVOntario, because of distance learning, Theresa González from the Independent Learning Centre. We would have talked to the folks in the north, because as you know, your local training boards are up, even though you cancelled the OTABs; people like ourselves, Jack Playford from the continuing education, who have got strong history in terms of adult education, and we would have been able to problem-solve on how to keep something that is vital to the economic wellbeing and prosperity of this province in place.

Instead, because it's a quick-fix solution and it's economic by nature, it's a political expediency that's economic, it doesn't deal with the real issue, and the issue is educating adults in order to become good, productive citizens to help us to have a better Ontario in the future.

Again I state, we brought forward something called Removing the Barriers to Cost-Effective Education last year. We said, "Give us two years and look at these things seriously," a little of which, 10%, 20%, dealt with labour. The vast majority dealt with things like streamlining the capital, looking at demanding boards work together. There was \$1 billion in this and it was ignored, virtually, and yet I believe sincerely that if we get our act together — it's time to fish and cut bait — we can solve this, if you work with the people who deliver the programs in the first place.

I don't know, guys, it's not rocket science, it's called talking to each other. The people who put in place the policies and the people who enact them need to talk to each other before one does the other.

**Mr Patten:** By the way, do you have any indication from the ministry in terms of its time frame on the study that the minister said would be performed in terms of junior kindergarten?



**Ms Cansfield:** No, I have not, and I've just discovered that supposedly there's something out there on capital already and we are not even a part of that. Here we are: We've got the schools, we carry the debentures, we know the problems, and we're not part of the solution. It makes no sense.

**Mr Patten:** So what you're suggesting is that the decision to change the funding basis of junior kindergarten without a study is putting the cart before the horse.

**Ms Cansfield:** That one in particular. I mean, I can't have anybody who hasn't listened to Fraser Mustard and the Canadian Institute of Advanced Research sit back and say that zero to six isn't probably the most critical time in anybody's life, and to suggest otherwise is somebody who lives somewhere else, on another planet, because it is. Again, we appreciate that maybe the existing way wasn't the only way, but we weren't part of the thinking and finding a solution to that problem.

We're saying, let's help you; we can do this. I believe if you bring the teachers in, they'll help as well, because we have children involved in this, kids. Your children are your reason, I hope, for what education is all about, because if it's not, then get out of the business.

**The Vice-Chair:** Thank you very much, Ms Cansfield and Mr Benson, for your presentation.

1610

KATHLEEN WYNNE  
PETER MCCREARY

**The Vice-Chair:** Next we have the Oriole Park School Association. With us today are Kathleen Wynne, Peter McCreary and Abby Bushby, if you'd like to come forward, please. If you could identify yourselves, please. Now there are only two of you.

**Ms Kathleen Wynne:** There are only two of us and I'll explain that. My name's Kathleen Wynne, and Peter McCreary and I are going to be sharing this time. Abby Bushby actually is going to be speaking at another time, representing another organization. She wasn't meant to be on today. Peter is from the Oriole Park parent association. I'm actually a member of Area North Education Council in the Toronto board and I'm a member of a working group on education finance. I'm not from Oriole Park, but we're colleagues. I'm a parent.

**The Vice-Chair:** You have half an hour together. That includes any questions or comments there may be.

**Ms Wynne:** I'm not going to take a lot of your time and I want to thank you for affording me the opportunity to speak to you. I'm a parent with the Toronto Board of Education. I have a daughter in grade 6, a daughter in grade 9 and a son in grade 10. I'm not a teacher, but I work as a mediator and a consultant in conflict resolution in schools and other organizations. In that capacity, I have visited dozens of schools around the province, private, public, alternative and separate. As a parent volunteer in my own children's schools, I've worked closely with teachers, accompanying classes on field trips, coaching school teams and assisting in classrooms.

My reason for coming to you today is that I'm concerned there are proposals contained in Bill 34 that will amend the Education Act in such a way that education in

this province will be even more seriously eroded than it already has been in the past years.

I'm particularly concerned with two areas. The first is with the idea that junior kindergarten is to be seen as an option for boards of education. We know, and the previous speaker alluded to, the wealth of literature on starting children early on the road to academic success and the earlier we can do that the more productive those people will be. There's a lengthy discussion in the provincial Royal Commission on Learning report, volume 2, that was recently produced and we also know that with present levels of funding for many boards, junior kindergarten won't be an option at all.

In the Netherlands, where my first two children were born, the education system begins at age two and a half to three years, recognizing that not all families will be able to afford private nursery school, and also recognizing that publicly funded school can create opportunities otherwise inaccessible to large numbers of people. It's also worth noting that in Dutch culture the provision of early schooling is framed as an education issue rather than a child care one, since many mothers still stay at home with their children.

My second locus of concern is around the issue of school boards in urban centres being asked to consider contributing to the provincial education budget. I am aware that there are legal issues surrounding this proposal and that it becomes a taxation debate that must be taken up by province and boards. But I'd like to speak to it as a philosophical issue and I think we need to look at what's being proposed. The suggestion is that somehow these urban boards in Metro Toronto and Ottawa particularly are well enough funded that they can afford to contribute to the general coffers. This would be an ideal situation if all the schools in Metro Toronto and Ottawa-Carleton were managing well enough to subsidize others. From my experience travelling around this province and from my more intimate experience with Toronto schools, we are not close to this situation, so that any formula for funding education in this province has to recognize that it costs more to educate a child in an urban centre, and for good reasons, than it does to provide the same education in other jurisdictions.

Finally, there is a general myth abroad that education has been overfunded for years, that the system is abundant and fat. In most schools in and out of Metro Toronto, this is absolutely not apparent. Children in Toronto schools are contending with decrepit physical plants, outdated resource materials and an aging teacher population that's demoralized by the lack of opportunity to hire new blood. Children in schools outside of large urban centres do not have access to the diversity of programs that are possible in a system with a large student population and are also dealing with outdated resource materials in centres where options for enrichment are limited. Our education system is treading water to keep its head up, whether the context is the city or the country.

I believe that students across the province should share similar opportunities, but that does not mean bringing schools to some lowest common denominator. That means ensuring that all schools live up to at least a minimum standard, a standard that policymakers have set



with excellence in mind. Quality early childhood education, including junior kindergarten, should be part of that standard and it will cost more to create and maintain that standard in Toronto than it does in Orangeville or Peterborough.

I have a sister with four children who lives in Bradford. She and her children are just starting out in the school system there, and when we compare notes it's quite clear that the system in Toronto is more accessible, more user-friendly and, I contend, more reflective of the needs of its population than the one in which she finds herself. That is an argument for supporting the Simcoe County Board of Education as it grows and develops, not for stripping the Toronto board. The debate surrounding education in this province shouldn't be allowed to disintegrate into a battle between city and country.

If passed as it stands, Bill 34 will further debilitate our school system to the detriment not just of Metro Toronto but of the entire province, and I hope that Bill 34 will be reconsidered in its entirety in light of current realities in the education system in this province.

I thank you for your time. Peter is going to speak to you, and then we'd both be happy to answer your questions.

**Mr Peter McCreary:** I prepared my remarks on one page, which you have in front of you, so I'm just going to speak generally to those comments. My qualification is that I am a parent. I have two children in a school here in the city of Toronto called Oriole Park Public School, which is a small school built in 1925. It has about 280 students. I'm now in my fifth year, if I can put it that way, at Oriole Park school, although the kids are actually the ones in school, but for me it's been an education as well, as you can imagine if you have children.

The thing that struck me first about Oriole Park school was that it was built in 1925, as I said before, and it looks exactly today the way it did in 1925. This does not suggest a great deal of investment in terms of budget capital investment. Furthermore, there's been a problem with the gym floor in that school for all the years I've been associated with the school which, as I say, has been just over five years. We're waiting for the Toronto Board of Education budget to permit the kind of repairs we need. I make those comments not because I don't think it's a good school. It has about 280 students.

Incidentally, they have a lunch program there. Both my children go to the lunch program. They had lunch there today. There's no place for lunch, so they have lunch on the floor in the hall. A building built in 1925, as you can imagine, doesn't have a nice, neat, clean facility, so they eat sitting on the floor.

The other thing you should understand is that Oriole Park is in a relatively affluent area of the city, which is Eglinton and Avenue Road, and the parents are very involved in the school. We had a very successful May fair, I must say, on Saturday. The teachers appear to be very good, and I have confidence in public education in Toronto from my experience at Oriole Park school. But what I don't perceive is any fat in the system. I just don't perceive it. That was one of the reasons I joined the parents' working group on education finance: to try to learn something about education finance.

What I learned is that the budget for the Toronto Board of Education was about \$611 million in 1995, and about 90% of that is teachers' salaries. Some of my friends who are consultants say, "That's no problem. We can reduce the administrative costs," but there don't seem to be a lot of administrative costs left to reduce.

What I've understood the government policy was was to extract about \$22 million-plus from the board of education's budget in 1996, and this was going to be done using some tools. We were told in March there would be tools in the form of amendments to the Education Act coming out and we would be able to, by studying these tools or amendments to the Education Act — "we" meaning parents — so that I can report back to the school association as a representative, I could understand and explain the direct impact on the teaching, class size and other results. But when the tools came out, there are no tools that appear to apply to the Toronto Board of Education, or at least that's the way I understand it.

Instead of tools, we now have Bill 34, which you are considering today, but in Bill 34 there's only a provision saying that the province may extract money, presumably from the Toronto Board of Education and presumably to the extent of the constraints set out in November.

On the one hand I have the perception, and the belief actually, that the system is running, but only just running along because of the shrinking tax base in Toronto and the increasing number of students year over year; on the other hand I have a process which doesn't seem to be open or clear. It isn't open or clear to me as a parent who has no special expertise in education finance matters and no professional background in this area where the cuts are going to come.

That's my presentation. Thank you.

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**Mr Pettit:** Thank you, Peter and Kathleen, for your presentation. I think you both made some good points. I've got a couple of quick ones here which I'll throw to either one of you. Particularly, Peter, you say in paragraph 4: "The government's stated policy is to preserve excellence in education and maintain high-quality classroom education for students. How can this policy be reconciled with budget reductions?" I guess that makes the assumption or at least you believe that every dollar in education is being spent wisely. Is it your belief that every single dollar is being spent wisely?

**Mr McCreary:** My belief is that if I look at it from the Oriole Park perspective, I would answer yes. I don't see any fat at Oriole Park.

**Mr Pettit:** You're both parents, you're both taxpayers in Toronto, and I would assume because of that you both realize the need for an accountable education system. Where, if anyplace, do you see in education where costs can be reduced while still maintaining quality programs? Are you saying to me that you see nowhere where any money can be saved in education?

**Mr McCreary:** No. What I would answer to that is, come and tell us. I don't think the onus should be on me as the parent in schools. I look around my school, I don't see places where I think, yes, there's waste. I'm not in government. I have no association with government. I carry no brief for the education program other than as it

pertains to my two kids. So I say to you, you tell me where you think there's waste, for example, in the Toronto Board of Education at Oriole Park school and then let's consider it and let's eliminate it.

**Ms Wynne:** I think there's another point. There's an issue of setting a policy that says: "What does education have to be? What do we as a culture, as a society have to provide for our children?" Having done that, then we work to provide that and anything else we do is gravy. I don't believe that in education in this province that has been done.

I, like Peter, am speaking from a classroom perspective. I'm speaking from the school perspective. I don't see the fat in those classrooms and I think a lot of the policies and decisions that are being made right now are being based on ignorance of what's actually going on in the classroom.

I would support the Toronto board submission that was made last week about cooperation among boards, that there probably are cooperative activities that the boards could engage in that would save money. I don't have a lot of background information on that, but I think in terms of what's happening in the classrooms and the schools in this province, we are not dealing with an abundant system right now.

**Mr Pettit:** I'm not convinced personally that just throwing more money at education is going to solve any of the problems we have but, as I understand it, the average that most boards are being asked is to find between 1% and 2% in their operational budgets. Do you think that cannot be found?

*Interjection.*

**Mr Pettit:** As I understand, it's between 1% and 2% on average.

**Ms Wynne:** I can't give you a fully knowledgeable answer to that question. My guess would be it's going to be tough in some boards to do that. I think it's going to be very difficult because there's a whole school of thought that would argue that education funding has not kept up with other sectors in the past 20 years, let alone the last three or four years, so it may be difficult at this point.

But I would argue that we have to look at the classroom and keep that intact, which is not what is being done right now, and then look at other ways of cutting and boards are not being given that option now. What they're being asked to do is going to affect the classroom. It's going to affect the day-to-day lives of kids going to school.

**Mr Skarica:** Mr McCreary, I didn't know anything about education either a year ago or so because I hadn't been in it for a long time.

**The Vice-Chair:** You did go to school.

**Mr Skarica:** A long time ago. I asked the Metro Toronto people —

*Interjections.*

**Mr Skarica:** Wentworth county where I come from, which is just outside of Hamilton, has about half the administrative costs of the Metro Toronto board. As an example of the difference, the trustees in my area make \$14,000, the trustees in your area make \$49,500. When we asked them about that, they said the taxpayers voted

for that or seemed to have no problem with that. If you had a druthers between paying \$34,000 more for a trustee or \$34,000 less as I do and having a school floor, can you tell me what would you rather have?

**Mr McCreary:** I don't look at it from that perspective, but what I'm concerned is you take a budget of \$611 million, you can't really compare the education problems in the city of Toronto or in Metropolitan Toronto with any other area in the province. That's the way I look at it, speaking in a global way.

Speaking on a more narrow basis, I'm more concerned if you say 1% out of \$611 million. When that was \$19 million what it was going to do, they were going to have to take out education assistants, EAs as they're called. I know at Oriole Park school, we thought we were going to lose our education assistants. Put it on the table and make a specific amendment to the Education Act or whatever legislative authority you have to reduce the salaries of trustees. Put that on the table. Let us consider it that way. Don't say, "I'm taking 1%, 5% or something out of the budget on the whole, then you solve it."

If we're going to take \$22 million out of the Toronto budget, what are we going to lose? We're going to lose something at Oriole Park, and it isn't going to be the salary of the trustee. That's what I'm concerned about. It's a separate issue and it's kind of a red herring to start asking whether or not the trustees earn their money in Toronto. I'm inclined to think they do, but then the other question is whether they earn their money in Wentworth or wherever else it is. I don't really know because I don't know the level of pressure and expectations and committee responsibilities and time spent. I can't compare those things.

**Mr Bernard Grandmaître (Ottawa East):** My question is on the funding of education as well. In your presentation are you saying that because Metro and the Ottawa board can afford to put in more dollars to the education coffers, they should or shouldn't?

**Ms Wynne:** I'm saying that because the needs in those urban areas are different than the needs in other areas —

**Mr Grandmaître:** But you're not saying they should.

**Ms Wynne:** No, I'm not saying they should. I'm saying we need to deliver a quality education to all the kids in the province, and that takes more money in the urban centres than it does outside the urban centres.

**Mr Grandmaître:** What are your thoughts on the pooling system that's been rumoured about, and also what about the Fair Tax Commission of three years ago, I guess, that recommended that education should be funded through income tax? What are your thoughts on those two formulas?

**Ms Wynne:** I think whatever system we use to fund education, we've got to recognize the differential needs of the different areas, so whatever formula we use, whatever pooling we use, whatever taxation base we use, there has to be some recognition that the urban centres, with diverse needs, with higher densities, different issues, more immigration, all those factors, there has to be an accommodation of all that in whatever formula we use. Whatever system we come up with, we've got to recognize those needs. I don't know, Peter, if you want to speak to that.



**Mr McCreary:** I just endorse that.

**Mr Patten:** Thank you very much for your presentation. I have just a quick comment on, when the government side says 3%, 3% sounds like a very tiny amount, but when you average that, that's throwing in Metro Toronto and Ottawa, which probably represent together 25% or a third of the whole system. Then you skew that with some small boards all around the province, for some of the boards, you must know the government had to bring in some modifying recommendations on its own legislation to limit the impact on some boards that would have been cut off at 50% of provincial grants that represent 18% of their total budget. So this 3% stuff skews drastically.

The other thing is if this level of funding is implemented, it will mean that Ontario will drop below the average of educational funding in this country. Do you think that is a standard we should be shooting for?

**Ms Wynne:** No. I think that's absolutely unacceptable. One of my concerns with the current situation is that we're not looking at revenue generation, we're looking at funding cuts. I don't think the education system can stand it at this point. I think there are probably refinements that can be made around service delivery and administration, that there are still some of those things that can be done, but I don't think the system can stand major cuts at this point. I think we're very short-sighted to look to that sector to provide that kind of money.

**Mrs Marion Boyd (London Centre):** Thank you very much for your presentation. I'm very interested in the thrust of both of your discussions around seeing education reach a lowest common denominator. I come from a part of the province that obviously is not in the same position that Metro is. We do have legislative grants, although we're one of the more prosperous parts of the province.

The question I'm curious about and I always need to ask is, is the cost of education, with all of the diversity and the social problems you identify, really somewhere between \$4,000 and \$6,000 more per pupil in Metro than it would be in an outlying, in the poorest school board in the province? This per-pupil issue is one that really concerns me. I hear you talking about equitability for students and knowing that funding helps to bring about equitability when there are those diversity problems, but I've always been deeply troubled by that huge discrepancy.

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**Ms Wynne:** There's a document that is being created at the moment that indicates it's closer to a \$2,000 difference; it's not double that. I can't give you the exact number, but my understanding is that it's not that great.

**Mr Peter L. Preston (Brant-Haldimand):** Got to be skilful.

**Mrs Boyd:** Even if it were \$2,000 and given that there really isn't any indication — I think it is higher than that incidentally, and particularly depending on what you're looking at — does it make a lot of sense in terms of equitability arguments that that's an appropriate split? I need to get where you're at with that.

**Ms Wynne:** I think there are good reasons that it would cost more. What the number is exactly, whether it's \$2,000 or \$3,000 or \$1,000, whatever that number

is — say we could boil it down to \$1,000; would that be the acceptable number? — I think the issue is that it's going to cost more. Maybe somebody has to decide what the acceptable gap would be, but there's going to be a gap.

That goes along with the standards issue. I think there hasn't been a lot of good thinking that's gone into what is appropriate, what is acceptable to us as a society in terms of delivering education to children in this province. We haven't got a plan, and my feeling is that we're cutting helter-skelter because we're dealing with little kids here and nobody is going to get up and scream. One of the issues around full-time trustees in Toronto, one of the reasons Peter McCreary and I are here is because the Toronto Board of Education is accessible, does consult, spends time trying to find out what its users need, which doesn't happen in the rest of the province. That means we've got a lot of silent people in the rest of the province. That's why parent councils have to be started. The Toronto board is ahead on those things. Whatever that number is, I would argue —

**Mr Preston:** I certainly don't agree with that.

**Mrs Janet Ecker (Durham West):** No, not in my region either.

**Mr Preston:** Toronto's the only place that's got trustees who care?

**Ms Wynne:** No, no, I'm saying in terms of consultation. I'm saying in terms of official avenues of consultation, the Toronto board is set up very differently than other boards. Would that be a fair statement?

**Mr Preston:** No.

**Mrs Boyd:** I'm also interested that you put so much pressure on the younger grades, because I do too. I think that is the clue to success for students later on. I'm very interested in your comments about the Netherlands and so on. But there's also a gap between what we pay per student in the elementary school and what we pay in the secondary school. Is that appropriate?

**Ms Wynne:** That there be a gap between elementary and secondary?

**Mrs Boyd:** Yes. We did everything we could as a government to begin to narrow that gap, but there's still quite a substantial gap. In other words, we are investing far more dollars per student in the upper grades than we are in the lower grades.

**Ms Wynne:** Yes, and I think that probably runs contrary to good reason. We should be investing more in our early years. Just as a general principle, we should be front-end-loading the funding as opposed to investing more in secondary, which is again not to say we should be stripping secondary to fund elementary, but we need as a principle to look after kids in the early years.

**Mrs Boyd:** Then the gist of what you're saying is that everyone else in the province should be rising to the level of Toronto?

**Ms Wynne:** Yes.

**Mrs Boyd:** That then means higher provincial costs, because of course we don't have the assessment base Toronto has.

**Ms Wynne:** Actually, what I'm saying is that we should all be rising to a standard that is set by good



policymakers with excellent education in mind, whether that's the standard set by the Toronto Board of Education or whether that's the standard set by some process that blends the best of what's in Toronto with the best of what's in other places. But we need a standard that is set and everybody rises to that standard. I'm not actually sure everything in Toronto is what we should be doing, but we sure have to have a plan and get everybody up to that plan rather than stripping away what's in the rich boards to get to what doesn't exist in other boards.

**Mr Wildman:** How do you, as parents and ratepayers, respond to the section of the bill that would permit or allow — not require, but permit or allow — the Metro Toronto Board of Education to remit some of the property tax it collects to the provincial coffers, keeping in mind that there's no guarantee that money will be used for education elsewhere?

**Ms Wynne:** I think it's seriously problematic. Peter, do you want to speak to that?

**Mr McCreary:** I'm saying the same thing I said before, which is that if we have a good education system today, if we take any more money out of the budget for the board of education, we won't have as good an education system tomorrow. That's what that means, isn't it? To me, the public education system is in danger right now and whether there be differences between Toronto or whatever factors exist, that's something that has to be recognized by the legislators so that when you make your cuts you cut carefully, you pick something that maybe can be taken out. Somebody suggested there must be something we don't need. What is it, though? The onus should be on the cutters, not the cuttees.

**Mr Wildman:** Thank you very much. I'm very impressed with your presentation.

**The Vice-Chair:** Thank you very much for your presentation to both of you.

#### PETER CLUTTERBUCK

**The Vice-Chair:** Next we have Mr Peter Clutterbuck with the Winona Drive Senior Public School education budget committee.

**Mr Peter Clutterbuck:** I gave the clerk a draft of what I intend to say. That was done yesterday. I went over it again today, so there will be some additions or embellishments, and even a correction or two, that I put in as I talk to you here.

I am Peter Clutterbuck. I don't appear before you as an educator or any kind of professional expert in education in Ontario, but I am an important expert to this committee in one regard since I am a parent of a child in the public school system. Like other parents I have been meeting with, I am growing increasingly concerned about the effect of Bill 34 on the quality of my child's education. Specifically, the parents we have been meeting with lately are concerned about the proposed permission to transfer property taxes under the current way of funding education here in Metro out of Metro, and therefore the city, to other uses, not even necessarily education.

My expertise is based on the everyday contact which Alix, my 13-year-old daughter, has with Winona school, which is in the Toronto Board of Education. I know

something about the school system because Alix gets up almost every weekday at 6:45 am during basketball and baseball seasons to trek off to school for practice on the school teams. She likes sports. Certainly nothing else would get her up that early. It's good for her in terms of personal discipline, physical exercise and the social development of learning about fair competition and teamwork. These extracurricular sports, of course, can't happen within the confines of a classroom and they also can't happen without the extra time and effort of teachers who also make a special commitment to our children by supervising these kinds of activities well before school starting time and usually well after.

One of the things we're concerned about, as I talked with parents in my community and in wards 11 and 12, which is where my school is, is changes which affect teachers so that even perhaps those teachers who keep their jobs have their morale affected in such a way that making this kind of commitment to our kids will reduce the quality of education for those kids who still have teachers.

I know something about the school system because Alix likes music. That's why she decided to go to Winona. She's learning how to play the trombone. She gets the use of school instruments, good in-class instruction and extra practice with music teachers who give time in special instruction which, for example, will bring about 100 students from across the city for an orchestral performance at Roy Thomson Hall tomorrow evening. You can bet every parent and relative among the several thousand at Roy Thomson Hall will be proud of their children tomorrow night. This would be a good audience to ask whether music and other special school programs should be sacrificed to budget cuts next year or in future years.

#### 1640

I know something about the school system also because I have met Alix's teachers. I have talked to them this year and in previous years at parent-teacher meetings and school events; Alix used to go to Palmerston school. I always marvel at how well they know my daughter and can carefully chart her progress or areas needing improvement. The detail which teachers write on report cards today goes far beyond the few kind or critical — and hardly useful — comments which I remember receiving when I went to grade school. I have some examples here of the kind of attention which goes into outcome-based learning for my kid. I know exactly where Alix was at Christmastime, and not just with As, Bs or Cs, but sentences and paragraphs on how she's progressing in reading, writing and arithmetic, and music and sports.

I also know that teachers have limits and that if class sizes get too big, neither will the teacher's knowledge about my daughter be sustained nor will her particular learning needs get met. That's one of the things that we as parents in our community started to talk about: What kind of class sizes are we prepared to accept? At what point will we start to sacrifice this kind of information we have about our kids and how they're doing at school if class sizes are too large?

These examples of my experience are the kinds of things which make all parents experts about the education system. These are the kinds of things they know and care

about. These are some of the ways in which they measure the quality of the school and the education system.

Parents are starting to worry about what is in store for their children in the Toronto school system, especially if Bill 34 means that property taxes we pay are not used to maintain the quality of our schools.

We have started this discussion at Winona school. I am chairperson of Winona Drive Senior Public School's education budget committee. We have had several meetings with Winona parents and we have done the following things since January of this year.

We have reviewed the Toronto board's spending and budgets for the last few years. We learned that the board has decreased its budget from \$623.5 million in 1992 to \$608.8 million in 1996, although school enrolment has increased by 3,000 students over the same period. We noted responsible board management of this reduction in order to minimize the impact on the classroom, including actions taken: reductions in executive, managerial and administrative staff; hiring freezes for permanent positions; offer of early retirement packages to staff; administrative cost-sharing with other boards in Metro; deferring plant maintenance and improvements; and reduction of non-credit courses.

From our point of view, the Toronto Board of Education has exercised, in decreasing its budget over the last four years, real prudence in how to downsize or reduce, essentially, costs that don't directly affect the classroom. Only in the last two, when we talk about deferring plant maintenance and reduction of non-credit courses, are we talking about things that may touch our kids more directly: the quality and the safety of the physical environments our students go to school in. Certainly for those who want to learn on a non-credit basis, some sacrifice has been made there. We think there's been responsible reduction at the Toronto board.

When I talk about these things, I'm talking about things which have been talked about with parents, parents at Winona school and in the other 13 schools which make up wards 11 and 12. We as parents have begun to define what we think are the essential elements of a senior primary school. Kathleen Wynne, who was here just before, actually developed a tool called the essential schools instrument, through the parent finance education group. We have started to use that in our school and in the other schools in wards 11 and 12. We want to do this so we have some measure for ourselves about what the education system is providing to our children.

After our first meeting on this task, we know for sure — we at Winona, that is — that we want reasonable class sizes, no larger than 25 students, so that teachers can give the proper attention to all the children. We also know that an in-school librarian and adequate library resources are essential to our children's study and learning. We are continuing this task of developing a charter of an essential school and will share the results with parents in other schools. There is a group of parents coming together at my home this week, for example, to continue this charter for essential school development.

As parents, we began to look at the impact of increasing budget pressure on Winona as well. We've discovered already that budget adjustments for the upcoming year

will increase some of our class sizes to more than 25, which is our limit. They may even get up to 27 next year. This is before we include the impact of any major budget cut which could result from a transfer of our property taxes to other jurisdictions or other government use. Severe reductions next year or beyond could well threaten our music, family studies or special-needs programs at Winona. That is the first reason I'm here: to let you know that the parents of Winona are concerned and are watching how decisions made in this place affect their children's school and learning.

Finally, we decided, as parents, to talk to other parents about their concerns. We have engaged other schools in wards 11 and 12 of the Toronto board to see if we can act together. We have joined the efforts of the parent finance education group which has also presented to this committee.

We are beginning by establishing a baseline of information on what parents feel is important about their children's schools. We know to begin with that parents want schools to have an adequate number of teachers to keep class sizes at a good learning level, and that parents value programs such as music, family studies, special-needs education and language training for our highly diverse school population in Toronto.

We sent a survey about 10 days ago to 13 schools in wards 11 and 12 to find out about the status of class sizes, number of teachers and existing programs. These four questions that we asked were actually developed by parents meeting in wards 11 and 12, talking about what they wanted in their school system, talking about what they valued and what was felt important. That's how these questions on the survey ended up being created. Almost half — I was hoping all of them would be back by now — have responded to date, so a full report is not possible. I can report from these preliminary results though, and I will send you the full report when we have them all back.

First of all, from preliminary results, the number of regular full-time teachers has declined by almost 2% over the last two years. The number of special education teachers in these schools has increased from 15.5 to 17 in the last two years, although the number of children with special education needs in the responding schools has also increased by more than 25%.

Class sizes have increased overall since 1994 in the schools responding to date. The highest class sizes in these schools range from 25 up to 32 students, well over our 25 maximum at Winona. Average class sizes range from 22 to 26. Again, this is a baseline, before any other loss of budget to our school and the other schools in wards 11 and 12.

When complete, this information will be helpful to the parents of the children in the 13 schools of wards 11 and 12. It will give them a baseline of information from which to assess any proposed changes in the financing of our school system. If they know in 1996 what their property taxes pay for, will they accept in 1997 or beyond severe budget reductions which will surely increase class sizes up to 30 and higher, reduce the number of qualified teachers and affect the morale of those who remain, and eliminate programs such as music and special education?



Our intention is to begin with getting this information into the hands of parents in Winona, which we've begun, and the parents in the other 12 schools of wards 11 and 12, and then throughout the city if necessary. We will alert our parents to the impact of a possible major transfer of our property taxes out of our school system in terms of all the things which we think are important to preserve. If necessary, we will actually measure this impact again next year so that any deterioration in the quality of our children's education can be directly linked to any action taken under Bill 34.

I appeal to the members of this committee, from whatever perspectives you hold about education in this province, do not pass any measures which will harm our children's learning and futures.

If you see public education as just another marketplace, and parents and teachers as customers, which I don't, but if you do, then at least recognize that we are concerned about the quality of the service being provided for the taxes we pay and believe that Bill 34 endangers that quality.

If you see public education as an investment, then don't reduce the value of that investment when the social and economic health of Ontario will depend on the future returns which a soundly educated population will bring.

If you see public education as a critical component of the social and cultural development of our society, then do not take action which will impede our children from becoming competent and contributing citizens to that society.

Thank you for this opportunity. Parents at Winona and wards 11 and 12 and across the city are going to take great interest in the decisions which you make on Bill 34. **1650**

**Mr Patten:** Thank you very much for your efforts and your work. It's good to see the deep involvement of a parent. I gather you represent other parents who are not only doing your job at your school, but with your board, with other boards, and keeping an eye on what's coming down the track at the same time.

You've spent a fair amount of time. I gather you respect highly not just what's in the classroom, the class size, but also, by virtue of your daughter's participation in music, that this is an important aspect of her education. I would like to ask you, anticipating a sort of worst-case scenario or what's proposed in Bill 34 and the impact on teachers, how you feel that might affect some of the extracurricular activities in terms of teachers' response to being pressured or losing jobs or whatever it might be.

**Mr Clutterbuck:** We've had this discussion in looking at where our situation was in Winona at this time and that right now there was a little bit of room in terms of loss of some teachers — we're losing three for next year — so that our class sizes get up, like I say, to 25 or 27. There is concern among our parents that the first indication of a sliding quality of education is larger class sizes where teachers don't know our students well enough.

The next thing that will happen, we anticipate — and that's why we're also documenting all the programs which are now provided in our school and in other schools — is that programs will be sacrificed. You either

lose three teachers or lose whole programs. We're concerned about losing some of our programs at Winona, so we think increasing class sizes is the first sign, and the next will be the loss of whole programs or the cutting back of programs or the limiting of the number of students who can participate in certain programs. That's the nature of the discussion that parents are having right now in Winona and wards 11 and 12.

**Mr Patten:** Just to clarify, you're not talking about developing a charter school; you're talking about developing a charter for a school which would —

**Mr Clutterbuck:** No, that's right; a bad choice of words. It's more a statement of principles and values that we think are important for our schools. In fact, at Winona, parents are very much concerned about their own kids. One of our proposals was a principle around junior kindergarten, which other schools have certainly identified. It's funny; we're known as a senior school, grades 7 and 8. Our parents are starting to get concerned about where they're going after 7 and 8 with secondary school reform, for example, and they're giving higher priority to what will happen when our kids get into secondary school and essentially will be graduating four or five years from now with double the number of graduates and a lot fewer jobs. So our parents are giving serious study to things that definitely affect their kids, now and in the future.

**Mr Patten:** I note in your paper that you had a very dramatic statistic, and that was that while there was a rather modest increase in special education teachers, the number of children who had special education needs had increased by more than 25%. That's an incredible growth rate. How do you feel that is being dealt with, and the impact on the general program?

**Mr Clutterbuck:** I concede right now that we're dealing with about seven out of our total of 14 schools, so it will be interesting to see when the other — and I understand a few more have come back today that I haven't received yet.

At one time, I worked in the field of developmental handicap, and I worked in areas around the integration of people with handicaps into the regular school system. I'm starting to get concerned whether perhaps some of the kids with special needs are being congregated in certain places because of the lack of special education teachers within the regular school system to work with kids in regular classes. Now, I can't say that is for sure what is happening, and I only got these data over the weekend, so I will investigate whether that is happening and would be somewhat concerned about it, because that is not a way in which to essentially help people with disabilities to become part of the mainstream society. But that's not definitive right now.

**Mr Tony Silipo (Dovercourt):** Thank you, Mr Clutterbuck, for your presentation. I appreciated particularly in the presentation, knowing Winona public school as I do, the reflection of what you see as being the contribution that teachers make to the after-school programs as being a vital part of your child's education and that of other children's. I also found particularly useful your reflecting some of the statistics here that help to give a picture of what the Toronto school system is a



little bit about in terms of the fact that it's also been coping and dealing with reduced budgets at the same time that enrolment has been going up.

There is a sense that I think we saw reflected a little bit earlier perhaps, and I know I've certainly heard from government members as they look at Toronto and view it as a place where there's a lot of fat that can still be trimmed, despite the fact that there have been cuts over the last number of years in administration and other areas of the budget, and sometimes even a kind of poking fun at the degree to which parents have actually become involved in the system. When I point out to people that parents and teachers have been involved in the selection of principals for over 20 years, that still startles some folks around here.

I guess my question to you is to just ask you to talk a little bit more about what your sense, from the perspective of Winona or the other schools, would be if we now get to the point, as this bill contemplates, where we will see property tax dollars being taken out of Metropolitan Toronto and channelled back to the provincial coffers for them to use in whatever way they wish. What is that going to do to the kind of involvement that you talked about, the kind of quality of education that's being provided now at Winona and the other schools in the area?

**Mr Clutterbuck:** I think I showed from our look at the Toronto Board of Education's budget, 1995-96, looking back to 1992, that a reduction of somewhere in the order of \$15 million has already occurred. There are a variety of strategies that the board has used to try to minimize impact on the classroom in making those savings.

No figures are certain, but it seems to us that the proposed possible transfer is in the order of \$30 million, that Toronto might experience \$20 million or \$22 million of any transfer if it is effected. There's no question, when you look at the kind of strategies being employed to save the amount of money that's been saved so far, that kind of hit is definitely going to impact the classroom.

There's a lot of discussion about classroom-based budgeting, but it is like talking about bus budgeting for the transit system. You can have a driver in a bus or you can have the roads and the maintenance and all the necessary support, the route making and the tracking of the ways in which people need to get from here to there that make up the total bus system. Actually, in the Toronto Board of Education I think it would be better to talk about school-based budgeting. Some 85% of the Toronto budget goes into schools and the other is support to those schools.

I think it's a more direct indication of our investment to look at schools, because kids don't spend all their time in the classroom. They spend their time in the hallways and in the cafeterias and in the playgrounds and with teachers before and after school. We just can't imagine what a \$22-million cut would be. We would be down to perhaps teachers and books and classrooms, and that's it, but we wouldn't be into an awful lot of learning.

**Mr Silipo:** I was just interested in a quick comparison, because the current Minister of Education and Training likes to continue saying that only about 47% of the funding in the school system is spent in the classroom. Yet we know the reality —

*Interjection.*

**Mr Silipo:** Yes, 47% is outside; 52% is spent inside the classroom. Yet we know the reality, certainly as I recall — I don't think it's changed substantially in the Toronto system in the last five years — is very different. I know it's different throughout the province. Do you want to comment on that?

**Mr Clutterbuck:** I think it is different, and I don't know the figures for the other provinces, while I've seen some of these numbers. The number that impressed me was 85% of the resources going to schools, because classrooms are in systems, and schools are the first important kind of unit of that system in which there are all kinds of resources made available to our student.

A more realistic way to look at it and something that means more to parents is, how much is coming into our community, into our schools, paying for teachers, paying for the support that teachers need, paying for the materials and the educational resources they need in the school, and also paying for the caretakers and the maintenance of the physical infrastructure? There are whole parent committees around safety and physical quality of the school environment.

I think we should look at, if we're talking about real local involvement in education, what comes into the school and how that school is used also for other community purposes that make it a real resource to that community. I'm more impressed with the 85% part of the budget which is allocated and dedicated to schools. I think that's a more meaningful number.

**Mr Pettit:** Thank you, Mr Clutterbuck. First of all, as a parent of two young children who are in the school system and as a member who actively encourages all of my constituents to participate in any area that they have concerns with, I would take exception to Mr Silipo's statement that we poke fun at parents who get involved. I would encourage all parents to get involved.

But surely you must be facetious when you say in your brief that all parents are experts about the education system. I would suggest maybe in their own minds, but surely you don't believe that.

1700

**Mr Clutterbuck:** I think, for example, if you believe that we're the customers, the customer is always right, and certainly in terms of what we know we want for our kids. When you meet with parents and they start to talk about what's important to them, you could recognize that they see themselves as experts. We know our kids. We know what our kids learn at school. When they don't learn something and when they're not learning, we express ourselves. We get involved to look at what they're actually getting out of the school system, so certainly we are the prime experts of the school system because we, our kids and our families, are the end users of that school system. We know if we get good quality and if we get bad quality. The rest of it is a way in which to deliver good quality to parents.

**Mr Pettit:** How many students attend your school?

**Mr Clutterbuck:** There are just over 400 students now at Winona.

**Mr Pettit:** How many parents actually participate on the education budget committee and/or the home and school association?

**Mr Clutterbuck:** On the education budget committee at the last meeting we brought out about 15 parents, of whom about seven are coming to complete the task this week. Our commitment is not just to do it among a group of seven to 15 parents; it is first of all to take what we learn and bring it back to the regular parent assembly meeting, of which the first one last September had well over 100 parents there.

Not only that, but we are going to work with the other schools in wards 11 and 12 to build parent understanding. I've been seeing parents come out to meetings — Mr Shea was at one of them — in large numbers to express their concerns about the education system. There are working groups and there are ways in which to ask the larger membership to endorse the proposals or to change them.

**Mr Preston:** How many special-ed kids do you have?

**Mr Clutterbuck:** At Winona, I can't remember how many special-ed kids.

**Mr Preston:** Roughly, when you say special education in those schools.

**Mr Clutterbuck:** In the six schools that reported I think the number went up from something like 25 to 39; I can't remember. I have it here, though, if you wish it. I'm talking about six schools that reported out of the 13, and two more reported today.

**Mr Preston:** It went from 25 to 39?

**Mr Clutterbuck:** It was a 25% increase, whatever it was.

**Mr Preston:** The numbers — 25 to 39 in six schools? Let's double it. It went from 50 to 78. All right, so that's 28 more kids, and you've got one and a half more teachers. That's less than 25 to a class.

**Mr Wildman:** Yes, but they're special-ed teachers.

**Mr Clutterbuck:** They're special-ed teachers. Special-ed classes usually have smaller class sizes, which is one of the reasons —

**Mr Preston:** I buy that.

**Mr Clutterbuck:** — from our point of view, that they're useful to have. I can't say this for all the Winona parents, but from my previous work I know it would be better for kids, and as much as possible this is happening, to be in regular classes and receive outside special-ed instruction, or kids being taken out of the class periodically for special attention. But it is true that class sizes reported for special-ed kids are smaller when they're congregated.

**Mr Skarica:** We heard from Donna Cansfield that she conceded there are always savings that can be found, and you've been making a survey of your school and other schools. Can you give us some suggestions as to where there could be savings found in the school system as you see it right now?

**Mr Clutterbuck:** Right now we are focusing on the parents at Winona in wards 11 and 12 and what we want from the school system, how much it costs, and if what we propose is needed and is important costs less, there will be savings, but we're not going to start the debate from the point of view of how do we make the savings. The fact is, this is our kids' education; it's too important. We should be investing in it, we should be looking at the best result for the money that we put in, but we don't

start by saying, "How little should we spend, or where shall we find the savings?" We start with, "What do we want to get?" That's where we're starting and that's where parents are starting, and they're going to start across this province to make that very clear.

**Mr Skarica:** That's fine.

**Mr Clutterbuck:** Frankly, I have no problem with paying for good public services. I think that parents and families right across this province are going to find out exactly what they took for granted before as we see public services erode.

**Mr Skarica:** I wonder from a parent where you think there can be savings. I have some ideas but I'd like to hear it from you.

**Mr Clutterbuck:** When I look at what the Toronto Board of Education has done, I see those are good strategies for the reductions they've been able to make since 1992. I'm concentrating on quality, service delivered, outcome and the best chance for my kid when she leaves school and goes into the work world.

**The Vice-Chair:** Thank you very much, Mr Clutterbuck.

#### MARTHA HARRON

**The Vice-Chair:** Next we have Martha Harron. Welcome to our meeting. You have 30 minutes to make your presentation. That includes any questions and answers there may be.

**Ms Martha Harron:** I was told to save half the time for questions, so that's what I planned for. Thank you for the opportunity to speak to you today as a parent. I will try to be brief.

The purpose of Bill 34, as I understand it, is to provide school boards with a toolkit to trim their budgets. Trimming is definitely needed, but you have to be careful about handing tools to the very people who most need to be trimmed.

The two biggest drains on the school system, it seems to me, are administration and transportation. Reducing busing will be a long and difficult business because the school system as presently constituted relies on it. Administration is another matter. Should we be targeting junior kindergarten, adult secondary education and teachers' sick leave entitlements when whole departments at school boards could be shut down tomorrow without causing any disruption in the classroom? The result would probably be an improvement.

Making junior kindergarten optional for boards makes sense only in the context of present modes of delivery, with overcentralized elementary schools and specialized programs which require busing. Long bus rides are inappropriate for small children, and schools may be filled to capacity. Meanwhile, adequately equipped day care facilities, church basements and community centres are already available in most neighbourhoods. It makes a lot more sense to send an early childhood education specialist into a day care than to transport busloads of tiny children to a school and back again. What we need is the flexibility to work out cooperative arrangements with these facilities, and I hope some of these other amendments will facilitate that.



Before you make JK optional, consider carefully what you intend to replace it with. I won't take up time trying to convince you of the importance of early childhood education, particularly for disadvantaged children. I'm sure you've read what the Royal Commission on Learning had to say on the subject, and you know about studies like the Perry project, which demonstrated the enormous long-term cost savings as well as social benefits to be derived from even just a few hours a week of such a program for multiple-risk, three- to six-year-olds, and you must have heard from more qualified speakers than me about recent research into the human brain which shows there are limited windows of opportunity in a young child's development. Why not dispel the public perception that you're indifferent to the needs of young children by extending the option for early childhood education to three-year-olds as well, as recommended by the royal commission?

I believe that universal access to these programs would avoid conflict and complications. First, regional restrictions create conflict. Is there anywhere in this province where there is no demand for JK? What happens when families on one side of the road have it but the others don't? Do we want school boards spying on parents like in Philadelphia? You may recall the recent case where a couple was caught smuggling their child into a relative's home in a laundry basket. Economic restrictions also create conflict. Where do we draw the line? It isn't only poor children who benefit from preschool classes. Do we want to discriminate against economically self-sufficient parents and turn early childhood education programs into ghettos for the disadvantaged, or do we want to encourage all the children in the neighbourhood to learn and grow together?

The other aspect of this bill which causes me grave concern is the proposal to eliminate sick leave entitlements as a statutory benefit. If you went after the gratuity, you might actually save some money, but allowing sick leave to be determined locally through collective bargaining will end up costing the system as a whole and have other negative consequences. First, it will mean hundreds of sets of negotiations instead of one. Second, it will further reduce the mobility of teachers. From the students' point of view, it would be far better if all negotiations were conducted provincially so qualified teachers could go anywhere in the province without risk to benefits or security. Third, any attempt by school boards to take away the teachers' right to space-bank their sick leave is bound to backfire.

At the moment, teachers take fewer sick days than average employees. Many will drag themselves into school rather than fall behind in their courses. If you take away their right to save these sick days, they'll spend them. This will mean a large increase in demand for substitute teachers. Not only will this cost a lot of money, it will seriously impede our students' progress, because by and large substitute teachers are just highly paid babysitters.

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Please do not give school boards tools with which to harass our teachers. As parents, we do not want our children spending six hours a day with people who are

bitter and frustrated. We don't want work-to-rule campaigns and strikes in our schools. Classroom teachers are not the problem; even trustees are not the problem, ineffectual though they may be. The problem is the hordes of ex-teachers who dominate the ministry and school boards. Unfortunately, we have no revolving door policy for those who tell teachers how to teach. Those who make the decisions have lost touch with reality because they never have to face a real classroom and they never have to face the electorate. That's why they make a lot more money than you do. Can you imagine what would happen if superintendents had to knock on doors every few years to ask for their jobs back?

I urge you not to require boards to report on their cooperative efforts to the minister unless you set strict limits on the form and amount of reporting. Drowning people in paper is what school boards do best. In any case, it will only tell you their version of the story. What is required, and at some boards desperately needed, is an independent audit of all their activities at least to determine what percentage of the taxpayer's dollar is actually making it into the classroom. Charities are required by law to spend no more than 25% of their budgets on administration, and school boards need similar restrictions.

To be meaningful, the definition of what constitutes an administrative expense and what constitutes a school program has to be very specific. Some boards spend so much money on curriculum development there is no money left over for learning materials to implement it with. They spend so much money on so-called professional development that one principal said to me: "You know, if I accepted every invitation I receive to go down to the board, I would never be in my school. I don't know what they think I do all day, but they obviously don't think it's very important."

I realize that all school boards are not the same. There are school boards in this province which are models of efficiency, mostly tiny boards, and others which are out of control. At the Toronto board, the finance committee met only four times between April 20, 1995, and February 1, 1996, one hour for every \$50 million in the budget. We keep calling for independent value-for-dollar audits — in fact, I have a petition right here in my bag — but we never seem to get anywhere. If the Provincial Auditor does not have the power to conduct these, please put it in his toolkit.

A tool in the wrong hands is a weapon. As a parent who has been active in our schools for a long time, I can tell you that every time my board, the city of Toronto board, has responded to our demands for clarity and accountability, it has complied with a vengeance, making the whole exercise far more trouble than it was worth. Parental involvement, the new curriculum and the new report card are prime examples. I would be happy to discuss these in detail, if you wish. Suffice it to say that the senior bureaucrats at the ministry, the school boards and the teachers' federations all have a stake in making things as complicated as possible. On the other side politicians, parents and classroom teachers have a stake in making things as simple as possible. We have to focus on this and stick together.

What worries me most about this bill is that you are counting on school boards to do the right thing, and it is painfully obvious that most boards cannot be counted on to do the right thing. School boards were told last year to cut their budgets without cutting school programs, yet programs are being cut blatantly left, right and centre.

We shouldn't be surprised at this, not because bureaucrats are evil people but because self-preservation is the most basic human instinct. The consultants, advisers, coordinators, assistant coordinators, superintendents and senior administrators who sit in cosy offices at the so-called education centres take themselves and what they do very seriously, and given the choice, they will cut everyone and everything below them before they will cut themselves.

Giving someone the opportunity to eliminate himself or herself may be the honourable thing to do, but the tradition, wisely, is not to hand them a loaded weapon in a roomful of people.

**The Vice-Chair:** You've certainly given us an awful lot to think about. Your presentation is different from most, let me just say that. We have a little bit more than five minutes for each caucus and we start this time with the New Democratic Party.

**Mr Wildman:** I find it rather interesting that when I was asked about the toolkit — it came out just at the time, you may recall, there was a publication of all the individuals in the province who make over \$100,000 from the public purse — a reporter asked me, did I think that this publication of these individuals' names would produce a backlash in the public and people would demand less money be put into public services like education? That could happen — I don't know — but the problem is that it's the people who make \$100,000 or more who will be deciding where the cuts will be, and they probably won't cut themselves. I agree with you completely in that regard.

If I could ask, though, a specific question related to the definition of out-of-classroom expenditure, because this is central to the debate that is happening right now, some boards have come before us and said it is somewhere between 5% and 15%. Mr Sweeney and the task force said it was about 47%. I understand Mr Sweeney included all the custodial services and prep time for teachers, and principals and vice-principals, in that figure of out-of-classroom.

**Ms Harron:** As administration?

**Mr Wildman:** To be fair, out-of-classroom expenditures. Obviously that definition is very crucial to determining how we protect the classroom and education for the kids. In your efforts — obviously you've been making significant efforts over a period of time — have you been able to get accurate figures in some way to develop a definition which is adequate for you to know how much is being spent on classroom education in the Toronto board as opposed to out-of-classroom expenditures?

**Ms Harron:** As I mentioned, we've been trying to get straight answers for a long time. As the previous speaker was saying, he believes the Toronto board puts 85% of every taxpayer dollar into the classroom.

**Mr Wildman:** No, into schools.

**Ms Harron:** Into the schools, sorry. But all I know is that as president of the parents' association at my high school, every year I would receive a stack of memoranda, policy directives, guidelines, on and on — and no money for textbooks. To me, materials which are produced by the board for teachers are not classroom material. Texts which are actually used with the children are classroom material.

**Mr Wildman:** Whether they're inside a classroom or not.

**Ms Harron:** You can take all these memoranda and policy directives into the classroom, but that doesn't make them learning materials.

**Mr Wildman:** No, I meant the other way: The school materials might be used by teachers and students outside the walls of a classroom.

**Ms Harron:** Yes, if they're being used by students.

**Mrs Boyd:** I understand your frustration about what you see as an administration-heavy kind of system. One of the problems that the committee has, and indeed that legislators have, is that the situation in the city of Toronto is quite different from what it is in many other boards —

**Ms Harron:** I'm aware of that.

**Mrs Boyd:** — where there has been a very strong effort over the many years to try and cut some of that administrative structure away, so that if you look at some of the poorer boards, you see there are very few consultants, very few of these layers you describe. One of the things that worries me, given these hearings are so predominantly in Toronto, is that we might lose sight of the fact that while that may be an experience you have, the committee is likely to hear a very different thing in some other areas.

**Ms Harron:** I did mention that in my presentation. For instance, if you look at Burkevale school in Penetanguishene, it's only by historical anomaly that it managed to avoid the big amalgamation of the 1960s that produced mega-boards which were less responsive to their communities and experienced these huge overgrowths of administration. The school board has one school in it. That might sound like a very inefficient way to run things, but the trustees on that board make \$200 a month and have one school to look after. The trustees in Toronto make over \$2,000 a month and have over 10 schools to look after. I think you get much better service from the one-school board.

I would be very worried about setting up school councils, which are supposed to have some kind of authority, and leave school boards in place, because I think you're just going to be adding another layer of administration. On the other hand, if schools could apply to the ministry for independent board status, not as different schools from public schools — I'm not talking about separate religious schools; I'm just talking about being able to receive your funding directly from the province. Bigger is not better. I think we are learning that.

1720

**Mrs Boyd:** It's not necessarily a very equitable proposition that you're making, though, is it? Because it really depends entirely upon the ability of parents to



spend the time they would have to spend in that kind of parent-run school you're talking about.

**Ms Harron:** I'm not aware that Burkevale, for instance, is in a high-income area.

**Mrs Boyd:** I'm not talking about high income, and it is under the public system.

**Ms Harron:** It's a Protestant separate school.

**Mrs Boyd:** But publicly funded.

**Ms Harron:** Yes.

**Mrs Boyd:** What you're talking about is essentially a variation on the charter school theme. It is the thin edge of the wedge, in many people's minds, to inequitable education.

**Ms Harron:** If one school board has to follow the same guidelines as everybody else — it may sound like a charter school, but I don't think it is.

**Mrs Boyd:** No, but you were saying other people should be able to pull out of boards. That is a one-school board simply because of the population within a jurisdiction.

**Ms Harron:** Or maybe we should be going in the opposite direction from the way we went in the 1960s. We had 1,500 or 1,800 boards and reduced them to 167 or something. Maybe it's time to start to looking at going the other way. Let's determine board by board which ones are working and which ones need a drastic overhaul.

**Mrs Boyd:** Some would see it as a difference of opinion.

**Mr Skarica:** I'd like to thank you for a very entertaining and informative presentation. I'm going to ask you a couple of questions about your comments that some boards are out of control and about audits. Last week, we heard from some witnesses that you can't take any money out of education because some boards or most boards or many boards have already cut to the bone. Then after that evidence on Thursday, I saw an article in the Toronto Sun which I'd like to read to you. I'd like to have your comments. It's under the title, "Auditor's Report Scathing: Catholic Board's Finances a Mess." It indicates that an audit was done, a 24-page audit. According to the paper:

"Bureaucrats at the cash-strapped board don't monitor the \$709-million budget month to month, one department doesn't know what the other is doing, and there's pressure 'to understate projected expenditures...to produce an acceptable budget.'

"The report says bureaucrats don't check overspending unless it's 'significant or unusual' and often have no idea they're in the hole until too late.

"Some \$5.8 million was frittered away, the report says, because the board didn't keep a close eye on the number of teaching positions they were supposed to chop under the social contract. The bureaucrats didn't realize they were short until February, one month after they hired 90 new teachers."

One of the trustees said, according to the paper, that "she's 'flabbergasted' with the report, which states in 'black and white' the board is in a mess, something she suspected for a long time. 'I would like to hold someone accountable.'

"Her colleague Dave Hogg — noting the deficit clearly 'could have been avoided' — said 149 of the 499

employees handed pink slips last month are being cut to deal with the errors."

That's obviously a terrible situation. You say there should be an audit. Well, there's an audit done. What would you do with this type of situation?

**Ms Harron:** Parkinson's law says that once administration has grown beyond a certain point, it really can't be fixed. I'm afraid there may be some boards which are beyond repair. I'm not saying that as a certainty, but certainly it doesn't surprise me that an audit would reveal such chaos.

**Mrs Ecker:** Thank you very much for a very excellent and insightful presentation. I enjoyed it very much. One of the questions I'd like to direct to you is that the frustration many of us have when we're — I mean, we're wrestling with our own budget pressures. Ottawa's cutting us back and we're having to wrestle with the deficit and everything and are trying to make decisions about priorities and saving here and reinvesting there. It's sometimes frustrating when we watch some of the boards, not all of them but some boards, that seem unable to do the same kind of thing. I hear a lot of comments from parents who were quite outraged about some of the decisions that have been made. What, in your view, would be the best way for the province to try to be more directive? If it is possible to be more directive, since school board trustees are duly elected officials in their own right.

**Ms Harron:** My experience with trustees is that they have trouble getting straight answers out of their boards. They go down to these big boards with good intentions, but they're surrounded by huge bureaucracies that have been at it a lot longer than they have and most of the time just run rings around them, in my experience.

**Mr Skarica:** We all know that.

*Interjection.*

**Ms Harron:** Yes, Minister. I always tell other parents who are confused and intimidated by the school system, as opposed to those who are merely infuriated, that you only have to read three books to understand how the education system works: Parkinson's Law, The Peter Principle and Yes, Minister.

**Mrs Munro:** Thank you very much for your presentation. It certainly gives us a lot of interesting ideas here. I have two quick questions. I go back to page 2 of your comments where you talk about the fewer sick days, that "teachers take fewer sick days," and then you state: "Many will drag themselves into school rather than fall behind in their courses. If you take away their right to save sick days, they'll spend them."

**Ms Harron:** I'm not saying all teachers would do that.

**Mrs Munro:** I have trouble with that in the sense that to me it suggests somehow there's a lack of professionalism. If you take away the days, they're going to spend them, but they don't —

**Ms Harron:** I'm not saying they'll pretend to be sick. I'm saying when it's one of those borderline cases where you feel just dreadful and you think — it's different when you don't give someone a right, but when you take something away they feel resentful. Maybe they're not going to be prepared to go that extra mile under the cir-

cumstances. I don't see that there's anything to be gained by giving boards the opportunity to tamper with this.

**Mrs Munro:** The second question I have is further down on that page, where you make reference to the boards that "spend so much money on curriculum development." I wondered if you could tell us where you think that curriculum development should be done.

**Ms Harron:** Certainly not both at the provincial level and at the school board level. I think this is a terrible duplication of services when you look at the piles and piles of curriculum that came out of the ministry; for instance, in Toronto last spring teachers were handed a three-inch-thick new curriculum to implement and then in September they were told to take it out of the binder and throw it away because they had a new, revised version.

It reminds me of the Benchmarks Project. The only people who had time to read all the stuff and watch all those videos were the people who didn't have any classes to teach. This is why I talk about losing contact with reality. They get so involved in theories of education and methods of implementation that they lose sight of the basic reality of teaching kids in the classroom, giving them a textbook each.

At my daughter's school — and this is not unusual at all — the English teachers, the home room teachers have to coordinate their schedules very carefully because we have to pool tattered paperbacks from every grade 7 and 8 classroom, plus the library copies, in order to assemble one full set of textbooks so that they can study the book. This is ridiculous.

**Mrs Munro:** Are you suggesting then that there could be efficiencies in the area if we were to look at a more central distribution of curriculum support items?

**Ms Harron:** For instance, now that we have the Internet and the World Wide Web, the actual teachers with recent classroom experience can get together over the net and produce far better curriculum than often is produced, at vast expense, by people who haven't taught in a long time.

**Mr Patten:** Thank you for your presentation. I enjoyed it. You have a good sense of humour as well as a decisive mind.

I have a couple of questions. You mentioned that the school board itself could be in a position to release whole departments that could be shut down tomorrow without causing disruptions in the classroom. Would you care to identify what some of those departments might be?

**Ms Harron:** Certainly the departments in charge of curriculum development and professional development. In Toronto we have enough curriculum to last us for — you know, they could certainly skate for a few years on what they've produced already. We need transportation. We need maintenance. We need a personnel department. We need a special services department. I don't think we need curriculum departments, I don't think we need all this professional development. I don't think we need 50-page parent volunteer manuals and all that stuff.

1730

**Mr Patten:** With the province moving towards centralizing curriculum province-wide under the ministry, this would enable the Toronto board to do some cutbacks. Is that what you're suggesting?

**Ms Harron:** Yes. Not that I'm thrilled with the kind of curriculum we get from the ministry, I think we really need to involve the College of Teachers. Let's involve teachers in this process, please.

**Mr Patten:** I agree. I like your thinking related to early childhood education specialists. Rather than trying to fit them all into schools where in some contexts this might be very awkward and might be highly expensive, it would perhaps be far more economical and far wiser to have your early childhood education specialists actually go outside the school to a day care centre or whatever it may be.

**Ms Harron:** Which is easier to transport, one adult or 30 tiny children?

**Mr Patten:** Yes, which to me makes a great deal of sense. I think that's a good suggestion, but that kind of presupposes flexibility. Now this bill identifies quite specifically the areas in which school boards shall make their cuts rather than providing the boards themselves with identifying the amount that needs to be found to fund this tax break, because it's all going out of education totally. I always say that because it's important. This is not staying in education. All this money found is going right out of education. But at least the flexibility you believe should stay with the boards and the schools to work out for themselves what their target is.

**Ms Harron:** I think we have to get back to a more community-based education system, certainly at the elementary and preschool levels.

**Mr Patten:** Okay. By the way, I agree with you in terms of not providing incentives or taking away incentives for teachers when others might say, "If I don't go to work, it really doesn't matter," because they don't have to have a substitute. You can appear to be quite frugal and demand a high standard of accountability, but you take away an incentive for some teachers to say, "What the hell, I'm sick," if there isn't going to be some acknowledgement that I'm making an effort and some reward for not costing the system more money. You're trading off quality with additional expense, and that's not what you want. But you talk about you should visit the gratuity itself. Could you elaborate on that?

**Ms Harron:** I believe it's about 70% and maybe you could reduce it to 65%, the amount of pay you get for sick pay. I'm just saying that that might actually save money, whereas I don't think this amendment is going to save any money. I think it'll cost money overall.

**Mr Patten:** All right. That's fine. I did have one last one and that was, you said that you'd be happy to discuss a few details in the examples of parent involvement, new curriculum, new reports when parents ask this of the school board administration. Could you give another example where you think the response is either an overreaction or an undue reaction or not an appropriate reaction when you're asking for some sort of response?

**Ms Harron:** You mean apart from report cards?

**Mr Patten:** Yes.

**Ms Harron:** I've referred to the amount of trees that are destroyed to produce guidelines and policy papers. Being concise is valuable. I was always taught never to say in a paragraph what I could say in a sentence, and I believe they tend to go in the opposite direction. I don't



think homophobia is a good thing but I don't think we need to go on about it for 267 pages when we have no money for textbooks, that kind of thing.

First of all, the consultation process with parents was a huge joke and then when they brought the report card out, it took so long to fill out. It was a computerized report card disguised as a customized report card. Teachers had to handwrite comments from the set menu in the book they were given, and if they didn't use the exact wording in the book, they had to rehandwrite it from scratch. It took so much time to produce this document that our children had to have an extra period of pool or gym every day for two weeks so the teachers could fill out the forms. A process of assessment which is so complex that it takes away from classroom instruction is counterproductive.

**The Vice-Chair:** Thank you very much, Ms Harron, for your presentation.

SUSANNE EDEN

**The Vice-Chair:** Could we have Susanne Eden of the faculty of education of York University come forward, please. I don't believe there's a written presentation. You have 30 minutes for your presentation. That will include any questions the committee members may have. Go ahead, ma'am.

**Dr Susanne Eden:** My presentation this afternoon will be somewhat informal. With one week's invitation to present here today, I did not have an opportunity to prepare a written piece for you and I apologize for that, because I think when you are dealing with so much information across a broad spectrum of topics, it makes it difficult. None the less, I did not want to pass up the opportunity to speak with you this afternoon on a specific aspect of Bill 34, and that is junior kindergarten.

This afternoon what I'd like to do, in the bit of time that we have, is share some thoughts with you and then invite your questions. I would like to begin by giving you a little bit of background about myself into which you can frame my comments.

I'm a teacher of 35 years with an Ontario teaching certificate here in our province as well as having taught out west. During that time I have worked at all levels, from preschool through to the university level. I have 22 years of direct experience in working with junior kindergarten, and it's from that vantage point that I will share with you my thoughts this afternoon.

I have my doctor of education in curriculum from OISE, and when I came to do my doctoral studies, as I like to say, as a rather old lady a few years ago, having done many things in education, it was to early education that I turned my thoughts and my studies, because I have come to believe, and each year I'm in this business I believe more passionately, that the real difference in education is in the beginnings, not at the end of things.

I deal a great deal in my capacity as director of the consecutive program at York and for a short stint at the moment as associate dean, with adults in crisis, if you will — teachers who are in our program who are undergoing difficulties. I realize increasingly that so very many of the things that become barriers in our later life don't

occur when we're 30 or 35; they begin in those early years. So my commitment to early education does not waver, although at the moment probably most of my time is spent in issues related to post-secondary restructuring. I'm very much involved in both the colleges and the universities. I want you to know that because I come here with that kind of perspective.

Twenty-two years ago, as coordinator of programs in the York region Catholic school board in Richmond Hill, we were the first board outside of Metro Toronto to begin junior kindergarten, and we did not do that lightly. We did that based on our own commitment to the value of early education and to the needs of children and families moving into our region.

When we started our programs I can very clearly remember many of the discussions that went on with the trustees, with parent groups, with teachers, where certainly for us the bottom line was, what will make a difference for children and ultimately for the wellbeing of families? It wasn't a question of simply being popular and trying to get more moneys into the system so much as it was an issue of how we could address quality education for young children.

1740

We did a lot of looking at the Head Start literature from the United States. Some of it was quite poorly done; other pieces had a good deal of merit and spoke to the issues we were concerned about. I would say that the bottom line still ought to be that issue of what will make a difference in terms of the quality of the educational experiences for young children and the commitment that it does matter what we do with four-year-olds. They aren't an expendable commodity. It is not simply somebody looking after them so they don't run out in the street and get run over; it is a matter of setting a foundation that will have lasting repercussions for that child's life in many, many different ways, some of which of course we can't know in those earliest experiences.

One of the things that began to emerge as we observed and analysed and tracked the children who came through those early junior kindergarten programs was that they were significantly better prepared for grade 1. I can remember, for example, the first year we had children coming out of senior kindergarten into grade 1 who had been in junior kindergarten, a flood of phone calls from grade 1 teachers saying, "You have to help me figure out how to change my reading program," for example, "because these children are coming into the grade 1 program with far more skill."

There was a lot of evidence at that time of children being able to — for want of a better word I'll use the phrase — play the school game better once they got into grade 1. By that I mean that they were better able to cope with the culture of the school with being a more didactic and demanding setting of a grade 1 classroom. There were a number of things we saw in those early years that continued to hold up over the years when I was involved with the teachers and children in junior kindergarten.

As other jurisdictions began to move into junior kindergarten, I was in a position, partly because of my professional reputation and partly because I had done it,

and also because of my studies, where I was invited to many other boards across this province as well as across the country to work with other jurisdictions in implementing junior kindergarten. I had an opportunity to see whether this was something we had been doing or whether this was something that seemed to be much more broad-based, and in fact that is the case.

One of the things, for example, that is a spinoff of this that I think is a very, very important aspect of both junior and senior kindergarten — and when I speak of junior kindergarten, I'm really talking about programs for young children. It's a very arbitrary thing to label a four-year-old one thing and a five-year-old something else and a six-year-old. I don't take easily to that, but none the less the issue is JK. But when we think about the early school years — and that's a term that perhaps sits better with me — one of the things I observed, and I think having two years in that kindergarten milieu contributes significantly to this, is that families have access to resources and to services much earlier than they would.

For example, something that used to surface rather often was in the areas of speech and hearing. It's an interesting thing that — if any of you have lived this, you will understand it — if you have a child in your own home who has either vision or hearing problems, you may be the last person to recognize that because you become accustomed to how the child functions.

Many times over the years, because I was very much involved with not special ed so much as appropriate programming for these children, we would see children who seemed to be slow learners, or whatever the label would be put on them at that time, children who had severe behaviour problems who when they were observed by someone, that is, the teacher who really had the background to interpret these things, that teacher was able to identify that there was something else going on.

We saw a very strong link between physical wellbeing and both behaviour and learning, and that was something that wasn't expected for us. Again, people with a background in special education — we'd share this with you — often jump to conclusions when in fact there are other reasons. The junior kindergarten year was a year that made a big difference to us and to our children in that, because we were able to identify them much earlier, particularly if you think about speech and hearing where a year lost is a very, very big, significant chunk out of their development.

There were also issues around social development. When I talk to parent groups about social development, I've often had parents say things like, "I don't care about whether he gets along. I just want to make sure he's going to learn to read and get to the right university and all those things." When we talk about social development we're not just talking about somebody who's great to have at our party, we're talking about somebody who really can thrive within a social context, someone who can both contribute to a social context and to society and who can benefit from social contact. We often see people who are very, very bright, who are academically stellar, who cannot thrive because they don't have those social skills, and that is not to be taken lightly.

We know from all of the research for almost this entire century now in psychology on social development and sociology that the foundations of all of that behaviour is in those early years, so that extra year does seem to make a difference in terms of the kinds and qualities of experiences that contribute to healthy social as well as intellectual development.

Also it seemed to me, as I reflected back on what I had learned from my observations in working with children, one of the other places that junior kindergarten made a very significant difference in this province was around all of the issue of special education.

Some of you may not be aware of the legislation in 1979 around early identification. When we first began to look at those issues of early intervention and positive ways of supporting young children with special needs, junior kindergarten became a very important dimension of that, as it was through the early 1980s when the special education, inclusive-ed bill was introduced. It seems to me that the modest successes we've had in this province with respect to special education, with respect to special-needs children, have been successful in large measure because of our very strong programs in early education in this province.

The climate of those early years, the junior and senior kindergarten, is quite different from the rest of the schooling for a number of reasons; partly because of the play dimension, that children are allowed to be players, are allowed to learn through play, and play is respected as a vehicle for learning. The special-needs children do find a place in which they can thrive and there are very important skills that they can develop.

The consequences of quality early education have been well-documented. I went back and read over the Hansard reports from about last November, any of the ones I could find that referred to junior kindergarten, and I know that you've had a number of petitions and requests and pleas on behalf of it. I don't want this evening in the bit of time we have to get into a debate on the benefits of early education. I think that is clearly documented so very many places. We know it makes a difference to all these areas of development.

One that isn't mentioned very often is moral development, and I think it's time we looked at some of those issues, particularly if we think of grounding children in a respect for life, in a respect for one another that may address some of the issues of violence and so on that we face.

In one of the Hansard reports from I think last November a comment was made — I'm sorry I don't know and it may be one of you who made it — that the gap is widening between children who arrive at school emotionally, physically and intellectually stable and those who already are victims of malnutrition, abuse and uncertainty. In my role at York as director of the pre-service program, I don't do a lot of supervision at the moment, but I have done in the last few years, particularly in the large Metro areas, and many a day after I would be in a classroom, I would go home and say to my husband: "You know, I'm living on a different planet. I was not aware of what was going on in the lives of some of these children."



1750

I can remember, for example, going to see one of my students in a school in Scarborough. There was a little grade 1 child sitting there and she was chatting away with me and she said, "You know, I'm tired today." I said, "Are you?" And she said, "Yes, because the police came in the night and we had to go to the motel." I thought, "What is this about?" Some of you may have seen the program last week on CBC about all these little children who are being housed in motels in Scarborough. I couldn't imagine a little six-year-old being wakened in the night, although I suppose she probably wasn't even asleep, but living in this apartment with many, many people.

I find that it's very easy to say: "Well, if families would just organize themselves better, they wouldn't need these programs. If schools would just be a little more efficient, we wouldn't have to worry about junior kindergartens." I think there are a lot of things happening in the lives of children and families that can at least in some small measure be addressed through junior kindergarten.

I have a lot of concern about the proposal and the comments made by Mr Snobelen in talking about seeing this as an issue of making JK optional, as a choice. He has every confidence, according to his comments, that the directors of education and the trustees and so on will see the value of early education, but it really does come down to dollars and cents. I find it hard to know how we could equate attempting to develop quality education in this province with decimating one of the programs that has been so very successful, one of the programs for which there is a need and which can make a difference all the way through the child's academic and social development.

Some of you may look at my presentation in terms of someone who comes with a vested interest because I have spent so much of my life in this area. I don't have a vested interest. I'm coming perilously close to the end of my career. I really don't do a lot of work in early ed any more. But I think I would be remiss in not taking the opportunity to make a plea for you to consider very, very carefully what many of us in the field consider to be a very regressive step, that of taking junior kindergarten simply as an option.

Rather, I'd like to suggest several things by way of recommendation, that we examine the documents that have been produced. When the speaker before me, Ms Harron, spoke about duplication and waste, I cannot tell you how demoralizing it is to educators in this province to have lived through yet another royal commission only to see it thrown out as if it were nothing. The people on that, no matter what their partisan background, were very respected educators. The history of early education has very much been tied to your own party. To *Herald a Child* was one of the finest documents produced in the field of early education. It came out in 1979 and was commissioned by a Conservative government.

In the mid-1980s we had the early primary education project. Again, these were documents that I can tell you were looked at by people all over the world, not just in our own country, and we should be looking at that and building on that, not discarding it as if they counted for

nothing. I think many of the issues facing you would be served much better if the educational community would get a sense that you are listening, that you do have a vision of what education can be, and that reform isn't — when I say that word, I think of the *Air Farce*, the Reform Party, but educational reform needs to be educational transformation, and there's a very big difference, if we are really going to make some gains in terms of what we do with children.

I'd like to recommend that you look at some of the documents and the genesis of that information, that instead of making something that is so obviously of benefit optional, we look at ways of extending and improving. We have a long, long way to go in bridging child care, for example, and early education. That's an issue I'm quite involved in. We need to be looking at committing resources to improving education for these young children and for the education of those who are charged with both the care and the education of our youngest citizens. Ontario has been a leader in early education. It will be a sad day if we are looked upon with the regressive step of decimating our programs for young children.

The other thing I'd like to say is a caution, having listened a little bit to the end of Ms Harron's comments, that you don't base your discussions on Bill 34 only on generalizations based on the Toronto board. There are a lot of boards out there that don't have that documentation, let me tell you.

**The Vice-Chair:** Thank you very much for your interesting presentation. We have two minutes left for each caucus, and we start with the government side.

**Mrs Munro:** I certainly appreciate the comments you've made. Since we have a couple of minutes, my first question is if you can tell me if you're familiar with the intervention model that was done as a pilot project in Brockville a few years ago.

**Dr Eden:** I should know it and I don't. Can you tell me anything about it?

**Mrs Munro:** It was a zero-to-six model that looked at identifying high-risk children, and I just wondered if you were familiar with that.

The second question that sort of dovetailed on that is — obviously, I suppose, the people in this room didn't have the benefit of JK. My question is, if you have children who have adequate health, stability and all those things, what kinds of differences are apparent between children who have JK and those who don't? I'm not talking about children who are identified as learning-disabled or any of those, but if I can use the term "normal." As I say, I look around the room and I'm assuming that none of us had the benefit of JK.

**Mr Preston:** There's not anybody normal either.

**Interjection:** A few exceptions.

**Mrs Munro:** My question then is in terms of the studies that would support this.

**Dr Eden:** One of the difficulties we're up against — I'm sure you all know the work of Fraser Mustard; he's been trying to gather things, as have other people — is that we have been very negligent in Canada on addressing those issues. We know them, we observe them, and you cannot be with children and not observe them,

especially if you're in the intensive kinds of roles that some of us have been in.

There are several things there. One is that the times were very different when we were growing up, all of us. If you think even of an issue like children today — I remember when Raffi gave up singing for children, he made the comment, "There's no point any more to teach children to sing when we can no longer guarantee them a safe playground in which to sing." The whole decimation of childhood, all of those issues are imbedded. So it isn't as simple as saying —

*Interjection.*

**Dr Eden:** Yes. But that whole issue of the changing culture and nature of childhood is vastly different. There are studies and there have been pieces of research, certainly a lot in the United States, that have looked at it. But we don't have very much here in Canada, and we should. It's just a matter that we don't fund those kinds of studies.

We have a recent one that we just did on play and conflict with a mixed group of three-, four- and five-year-olds. We had some studies done. There were some done through child study in the early 1980s, one Project Thrive, which looked at children coming into JK, and they tracked them on a longitudinal basis to see what happened.

1800

**The Vice-Chair:** Okay, Mr Preston, you're eager to go.

**Mr Preston:** Yes, very fast. First of all, I've got to congratulate you for reading Hansard from last November. I mean, it's boring enough for people here that are participating.

*Interjection:* I find it fascinating.

**Mr Preston:** You're concerned with, in JK, learning, social development and early detection of problems, which is exactly what it should be. But our first presenter said alternative staffing. Do you agree with alternative staffing for JK?

**Dr Eden:** I think there are some ways of doing it. I spoke to the standing committee in 1990 which was looking at certification. One of the things that I said then and I would say now is that we have to be careful we don't have a two-tiered system, as they've done in New Brunswick and some other provinces, where you put the cheap labour with the little kids and the real expensive labour with the high school. That was very much the message in 1990, and we worry about that.

**Mr Preston:** All right. Qualified alternative staffing. Fine.

**Dr Eden:** What I think we should be able to do is find some innovative ways of doing this. You don't have to have everybody with a master's degree in education; I wholly agree.

**Mr Preston:** All right then, alternative sites; we could have qualified alternative staffing in alternative sites.

**Dr Eden:** Yes, we could have.

**Mr Preston:** Day care.

**Dr Eden:** One of the places that I'm doing a lot of work right now is the Seneca lab school, and they are offering a kindergarten there which is an alternative site. But they are all qualified teachers.

**Mr Patten:** Dr Eden, it is a delight to receive your testimony today. I'd like to ask you, given your professional standing and interest in this area, whether you would send a list to this committee of the research that you believe is the most germane to the importance of early childhood education. I understand your definition is broader than just junior kindergarten, but that is the issue.

It would seem to me, given what you have said, that if you had a choice — and I don't want to put words in your mouth, but these would be mine, because I've heard a lot of people talk about it. If we had a choice to make something an option, based on what I've heard, I'd make grade 12 an option now rather than junior kindergarten, given the physiological, the response of the brain, the importance of the growth patterns of the early child. What would be your reaction to that?

**Dr Eden:** I don't like playing one thing against another, but certainly I think the priorities have to be looked at. Without being facetious and saying, "We'll just chop off another one at that end and leave one here," we have to be looking at this as one of a piece.

If I can give an example, I have been working with the community colleges from the vantage point of the university for five years now, and we've developed a new teacher ed program at York which is quite unique in the country. It's our foot-in-the-door model, but what we did with that was recognize, for example, professional credits from the college against both the undergraduate and the faculty of ed, which takes an entire year off of their studies. That's a significant saving, it seems to me. I think there are places in education where we can be doing that without us playing one against the other in looking at programs like that.

**Mr Wildman:** Very quickly, actually, at the risk of convincing those who think that JK should not be compulsory, both Mr Patten and I, I think, attended JK in Ottawa.

**Mr Preston:** I still stand by my statement.

**Mr Wildman:** That was before I then moved to the country and attended the rest of my elementary schooling in a one-room school.

Isn't it important to recognize what is actually happening out there right now? I have two questions, really. The first is, what's actually happening right now is there was the previous government, right or wrong, made a choice and said, "Okay, we're going to get rid of the fifth year in the secondary level," the assumption being that this would free up resources to put more in at the early childhood end. You can make arguments about whether or not that was the right thing to decide, but that was what was decided. But what's happening now is we are in fact cutting off at the top end but we're making it optional and cutting funding at the other end as well, so that we're cutting at both ends of the system.

My question is, it's been said by a lot of people, including Mr Snobelen, that they don't argue that early childhood education is of value to disadvantaged children, and there are many studies that indicate that. But wouldn't you agree that it is probably better for all students, whether they come from so-called disadvantaged backgrounds or not, to have the opportunity to develop at



an earlier stage and have the skills required later on to do well academically and in terms of life skills generally?

**Dr Eden:** I think the word "disadvantaged" has many interpretations. If you look at the statistics even on street kids, a lot of those children are not from poor homes; they're from very affluent families. We haven't got a lot of time, but I can tell you, working in some extremely affluent areas in my career in working with parents, I remember saying to parents who were trying to have the child identified as gifted before he came into JK because he'd had the nanny who had forced — what David Elkind says, force-feeding the tomato, and the plant grows with no roots. These children sometimes are like that.

So I think we have to be very careful, first of all, saying, "Oh, well, if you are poor, if your parents are poor, you're automatically disadvantaged," because you can have some children who obviously are not. Those issues, I think, have to be put to rest. I think all children benefit. My own studies of children's play certainly show that economic resources are not the telling feature in success. They are not in any sense the telling feature.

**Mr Wildman:** I don't think, to be fair to Mr Snobelen or others, when they say "disadvantaged," they necessarily just mean economically. It could be a person who has suffered from neglect or abuse or something, even if they are well off financially, the family. But in a sense, all children benefit from the ability to socialize with one another, and that then helps them in the later stages of education and in life later on as well, surely.

**Dr Eden:** That's right.

**The Vice-Chair:** And with that, thank you very much, Dr Eden, for your presentation.

**Dr Eden:** If any of you wish to talk to me further, I would be more than happy to. I can be reached at York University at 736-5009.

**The Vice-Chair:** Thank you very much for that offer.

**Mr Preston:** I've got a question for you all, off the record.

**The Vice-Chair:** No, no, just a minute now.

**Mr Preston:** After 150 years, why do we still have eight grades of elementary school? Think about it.

**The Vice-Chair:** All right, and we'll deal with that tomorrow starting at 3:30. We're adjourned.

*The committee adjourned at 1808.*







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of Ontario**

First Session, 36th Parliament

**Assemblée législative  
de l'Ontario**

Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Tuesday 14 May 1996**

**Journal  
des débats  
(Hansard)**

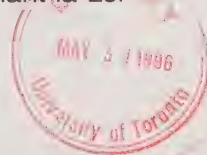
**Mardi 14 mai 1996**

**Standing committee on  
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**Comité permanent des  
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**Education Amendment Act, 1996**

**Loi de 1996 modifiant la Loi  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Tuesday 14 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mardi 14 mai 1996

*The committee met at 1534 in room 151.*

## EDUCATION AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Consideration of Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

## PEOPLE FOR EDUCATION

**The Vice-Chair (Mr John Gerretsen):** I see a quorum, so we'll start our meeting.

Our first presenter today is Annie Kidder with the People for Education organization. Welcome to our meeting. You have 30 minutes for your presentation, and that includes any questions and comments that there may be from the committee members.

**Ms Annie Kidder:** I'm sure I won't take 30 minutes.

**The Vice-Chair:** Okay. Go ahead then.

**Ms Kidder:** There are hardly any people here.

**The Vice-Chair:** They'll be drifting in in the next couple of minutes.

**Ms Kidder:** How nice.

**Mr Peter L. Preston (Brant-Haldimand):** They're in the middle of other meetings too.

**Ms Kidder:** All right, as long as I have a sense that somebody is listening.

**The Vice-Chair:** Oh, we're listening.

**Ms Kidder:** When I first thought about coming here to make this submission, I worried that I would have to sound like an expert. Should I start by studying up on taxation issues? Did I need to answer to the proposed legislation point by point, subsection by subsection? Then I realized that no, I had to come simply as a parent, a parent representing a group of parents. I realized that there must be room in this whole complex system for common sense. Then when I wrote the words "common sense," I thought how ironic it was that they have come to mean something so different.

I am here to represent a group called People for Education. People for Education is a coalition of parents, parent groups and others who believe in fully publicly funded education. I just want to explain where we start so you understand where we're coming from.

We started as a small group of parents in the Palmerston Home and School Association at Palmerston Junior Public School, which is a school in downtown Toronto. Our principal came to us at the beginning of this year with a request for money to pay for things that we had in the past always considered to be basics, things that

in the past had been automatically paid for by boards of education.

Because of the huge cuts that have already happened over the last few years here in Toronto, principals seemed to be having to make very difficult choices: "Do I get new math books this year or do I get globes? Do I cut back on enrichment programs so that we can have more science equipment, or do I keep the artists in the schools and worry about science next year?"

Not only did it worry us that our principal was having to make these kinds of choices, but it worried us that parents were being relied upon to support the school in these ways. We were no longer being asked to fund-raise for extras, for team sweaters and graduation teas. We were being asked to fund-raise for essentials, for books, maps and microscopes.

We became very concerned about what this reliance on parent fund-raising leads to. What happens in the communities where the parents don't have extra money for these things? What happens at the schools where they can only raise a few hundred dollars a year? What happens to the notion of equality among schools? Most important, what happens to the basic premise of a public education system; that is, the notion that all children have a right to a high-quality, fully and equitably funded education?

Because our children are in the system and we felt we had no choice, we decided we would try and raise the money, but that we would spend the same amount of energy finding ways to voice our concerns about the changes that were happening. We formed a social action committee.

By December of last year, the social action committee had grown to include a few neighbouring schools. As the provincial government's policies on education became clearer, the committee grew to be something much more than a committee of parents from a few schools in downtown Toronto. We now include parents from schools in and outside Toronto, from both the separate and public boards and other people concerned about the cuts to education.

We called ourselves People for Education in the hope that the government cannot dismiss us as only a special-interest group, unless people are a special-interest group worthy of dismissal, in which case we're in real trouble. We called ourselves People for Education because education is a thing that affects everyone, not just those directly involved but the whole of society.

Our group includes parents from across the political spectrum, even ones who voted for Mr Harris. We are from all sorts of ethnic and economic backgrounds, but we have one thing in common: our belief in the importance of our children. We all believe that as children



represent society's future, we must be very careful to take the best possible care of them.

We all believe in the importance of a strong education system. We all believe that education is different from business and that when it comes to our schools, the financial bottom line is not the important thing. We all believe that we need to agree upon what is essential in our schools before we start cutting arbitrarily. None of us believes that the massive cuts planned by the provincial government can be done without affecting the classroom. We all believe that if you want to think about this in a purely financial sense, children and education are one of the most important investments we can make, that investing in our children and their education makes good economic sense.

I know I'm supposed to be here to talk about this specific bill, about what it means to essentially cut junior kindergarten for most boards, to cut adult education, to take money that the citizens of a municipality have paid in taxes specifically for education and add them to the general revenue of the province, but I think others before me have addressed these issues very well. People for Education wanted me to come here to talk about this bill more generally, about the philosophy behind it and about what we are afraid this philosophy will mean for our schools and our children.

1540

The makers of this bill keep saying that what it will do is enable boards to cut massive amounts of money without affecting the classroom. I guess first, then, we need to define what we mean by "classroom." Mr Snobelen keeps saying that 50% of the money spent on education is not spent in the classroom, implying it's spent on sort of frivolous extras. But Mr Snobelen's 50% doesn't include principals or vice-principals; it doesn't include teaching assistants; it doesn't include school counsellors; it doesn't include any kind of consultants; it doesn't include specialty teachers or librarians; it doesn't include anyone from the school boards; and it doesn't include the buildings. It's as if Mr Snobelen's classrooms existed in a field, just the teacher and his or her students out there in space with no support system.

If by "the classroom," Mr Snobelen means the students in that classroom, then we, as parents, can tell him from firsthand experience that these kinds of cuts do affect the classroom. Removing the support system affects the classroom, and leaving boards with no choice but to lay off teachers certainly affects the classroom.

Right now at many of the schools in Ontario, the staffing committees have just finished doing their jobs. Parents and teachers and administrations have worked together for weeks to come up with staffing models for their schools. This year this has meant having to make some very hard choices: Is it better to keep the half-time music teacher even if that means the classes will all be bigger? Which do parents and staff value more, having a teacher librarian or having smaller classes?

I just got a copy of the staffing model at my child's school. My child's class next year will have 32 students in it. She's going to be in grade 4. Study after study has shown that children learn better in smaller classes, and

yet this government continues to make changes that will cause class sizes to grow.

The government likes to talk about cutting 10% of teachers' time, which is a wonderful euphemism, kind of like collateral damage. When you cut 10% of the teachers' time, you cut 10% of the teachers, and when you cut 10% of the teachers, there are fewer teachers to teach our children and the classes are bigger. It's very simple. Again — ask any parent — these cuts do affect the classroom.

By proposing this bill, its authors imply that with just a little more efficiency and a few tiny nips and tucks, we can remove a billion dollars from our provincial education budget. Leaving aside for a moment that the nips and tucks include our much appreciated and effective junior kindergarten and adult education programs, let's just think about the efficiency aspect of the bill. I don't think even this government believes that school boards can save a billion dollars by simply sharing a few bus services. No one is arguing that sharing services won't help save money, but there is no way that it's going to save a billion dollars. Thus, there is no way you can take a billion dollars out of our education system without affecting the classroom, the students, the children.

It seems that nearly every day now in the paper there is a new story about parents fighting for some aspect of their school system that they value: parents fighting to keep their busing in rural schools, parents fighting to keep their music program going, to keep their child's phys ed teacher, to keep the French immersion program alive, trying to keep all the things that we know are essential to our children's education.

It seems ridiculous. Isn't it ridiculous that parents have to spend so much energy fighting for these things? Doesn't everybody know that education is the foundation of our society, of our culture? Doesn't everybody know that a good education provides children with the tools they need to become responsible adults? It seems to me that this is common sense.

The reason our group can include people who actually voted for this Conservative government is that they believed the promises about not implementing cuts that would hurt our education system. I talked to a parent the other day in North York who had voted for Mr Harris. She was furious.

"Why are they trying to take money out of Toronto?" she wanted to know. "Can they actually do this? Can they actually take money I paid in property tax and just add it to the provincial budget? Don't they understand what is different about Toronto? My son is in a class of 30, and a third of the kids are recent immigrants. Don't they understand it costs more to teach children for whom English is not their first language?"

Our group includes people who voted for Mr Harris, because they thought they knew what common sense was. They assumed it was common sense that smaller class sizes were something to be valued and preserved. They never thought that, as so many studies have shown the value of early education, it would ever occur to the government to throw it out. They thought it was only common sense that if you have an adult who wants to make him or herself employable by going back to school, we should do everything in our power to help them.

They know that spending money on education makes good common sense. They have read all those reports and studies that have proved that money spent on education is money saved in other areas: money saved in health and welfare costs, money saved by the criminal justice system. The parents know all these things, and they feel that with this bill the government is ignoring the larger truths and only looking at the immediate numbers. Our children aren't numbers. Education is not a business.

Before you allow this bill to become law, I urge you to consider your own expectations of the public education system. I urge you to listen to parents when they speak about their expectations, in fact about their assumptions to do with Canada and its history of public education. We assume we'll have a system that's strong, that's high quality and that provides an equal education to all its citizens. Huge cuts like these will destroy that system.

At the beginning of this deposition I told you about the reasons for the inception of this group. I told you about the fund-raising demands in my child's school. I told you about a principal asking parents for money for math books. If education funding continues to be cut, then money for math books is only the beginning. As the cuts continue, parents will be asked to fill in more and more, which will create huge inequities in the system. Worse, as the cuts continue and the class sizes grow and schools are forced to operate with poorer equipment and fewer resources, the parents who can afford it will take their children out of the public education system and put them in private schools. Then you end up with a two-tiered system like they have in many other countries.

As parents, we can't believe this is actually happening right here, right now in our own province. I think it is important that you all know that, as parents, we will not sit idly by and watch as our education system is slowly dismantled. Parents are not a passive group when they feel their children are threatened. They will be very vocal in their opposition to these cuts.

I urge you to vote against this bill. Vote against it because of what it means. Vote against it because public education is not just a deficit issue. Vote against it because you know that our children are our most important asset.

**Mrs Janet Ecker (Durham West):** Thank you, Ms Kidder, for coming before us and making your presentation. I very much appreciate your concern about education. Before I ask a question, though, I would like to clarify something which I find quite frustrating as someone who cares very much about education, which is that the only people who were talking about taking \$1 billion out of the system was the Ontario Public School Boards' Association, the trustees, who one would think might have some familiarity with what could or could not be removed from the system. Our reduction to school boards is actually less than \$400 million at the current time.

**Ms Kidder:** This year.

**Mrs Ecker:** Certainly. I guess what I find quite interesting is why it is that a school board would not be able to — with the acknowledgement that I have had from trustees and teachers and people that there are ways in the system that we should be making sure that money

is there in the classroom, as opposed to going on other things which are not as important and have to make those choices — that somehow or other 2% is an impossible goal. What I would be curious about is, are there suggestions from your perspective, with the expertise and the obvious commitment you have to the system, are there better ways that you believe we should be making reductions so that we can try and achieve the savings goals which have to happen across the government?

**Ms Kidder:** I think it's very important that we think about and look much more clearly at what we value in our system first before we start cutting it, and that's not what's being done. It's being looked at purely as an economic issue. We're looking at efficiency instead of effectiveness. We're looking at it as business and it's not at all in any way the same as business. The city of Toronto has already cut \$400 million out of its education budget in the last four years. The \$400 million that this government is cutting is in this year. That's what's happening. That's between now and December. That's why the \$1 billion is there.

1550

**Mrs Ecker:** But the other thing I would suggest to you as well is that with an Education Quality and Accountability Office and with a College of Teachers, which are also something we've done, those things are very much directed to quality in the system. They are not economic, cost-effective things. They are quality things in the system. I guess what I would say again is, how do we make reductions in the system that are going to maintain the things you think are important and yet at the same time make reductions?

**Ms Kidder:** Maybe we have to look at other ways of raising money to support the system, like not allowing people to appeal their property taxes in downtown Toronto so that you're having to make the huge cuts.

**Mrs Ecker:** Yes, we're doing that. Absolutely; couldn't agree with you more.

**Ms Kidder:** We have to look at fairer taxation, at not cutting taxes by 30% so you can actually support an education system.

**The Vice-Chair:** I have three more questioners.

**Mrs Ecker:** Sorry. Go ahead.

**Mr Preston:** Do you know what the cost per student is in your area?

**Ms Kidder:** No.

**Mr Preston:** Then you have no idea whether your school can cut at all.

**Ms Kidder:** I know our school doesn't have money for masking tape right now. I know there's no money for math books in our school right now.

**Mr Preston:** I'm not asking about what they haven't got. I'm asking about what they have got that they can do without at your school.

**Ms Kidder:** There's absolutely nothing that they can do without.

**Mr Preston:** Not your school. I'm talking about the whole school board.

**Ms Kidder:** You asked in my school. But in my school, which is a downtown Toronto school —

**Mr Preston:** In your school area I asked. It's a Toronto school?



**Ms Kidder:** Yes.

**Mr Preston:** You're roughly \$10,000 a student.

**Ms Kidder:** I have no idea.

**Mr Preston:** Our schools are \$4,900 to \$5,100. Do you think there's a difference there and why?

**Ms Kidder:** Because there's a huge difference between an inner-city school and a school — I'm not sure where your school is.

**Mr Preston:** Cayuga, Caledonia, Dunnville, all the way up to Paris, Ayr, part of Kitchener.

**Ms Kidder:** My particular school, Palmerston school, has refugees who come in for a few weeks at a time and go out. It has a huge population of ESL students. It has a lot of students with special needs, with learning disabilities. There's a different population in inner-city schools than there is in schools outside Toronto and it costs more to educate.

**Mr Preston:** In Cayuga half of a public school is for the trainable mentally retarded and there are only 600 people in the town. They draw them from all over the area to come in. That's half a school.

**Ms Kidder:** I don't understand the point.

**Mr Preston:** You're talking about having a whole lot of special-needs kids and I'm suggesting that you don't have that many. The population should be the same all the way across, or is there more of that in Toronto than there is in —

**Ms Kidder:** Yes, there is.

**The Vice-Chair:** Just a minute, Mr Preston. That's the last question. Do you have one final comment on that question and then we've got to move on?

**Ms Kidder:** No. I think statistics show that in Toronto there is a higher percentage of ESL students and students on welfare and higher-need students.

**Mr Richard Patten (Ottawa Centre):** Thank you very much, Ms Kidder. I think your presentation is right on the button. I applaud your clear and forthright manner of expressing it. You have arrived at the heart of the issue, because the government continues to say that it needs to save money. From what? For what?

**Mrs Ecker:** It's \$1 million more an hour, Mr Patten. That's for what.

**Mr Patten:** It's for the tax cut, and we all know that. *Interjection.*

**The Vice-Chair:** Just a minute now. Let's deal with the delegation.

**Mr Patten:** A lot of people are concerned about education. As you rightly said, \$400 million for this year, and when that becomes annualized, it will be in the neighbourhood that you suggest. If you are experiencing now in grade 4 — your child's in grade 4?

**Ms Kidder:** Yes.

**Mr Patten:** — some 32 students in her particular class, what do you anticipate will happen when that figure becomes doubled, from \$400 million to \$800 million or \$1 billion? What will happen in terms of class size and other areas?

**Ms Kidder:** Because of where we live, and we've already experienced really big cuts to education, I can't see anything but it getting worse. If you talk to any teacher, they say 32 kids, especially in a downtown Toronto school — sorry, where you have a lot of kids

who don't speak English — it's impossible to teach that many kids. I can't see how you can lay off teachers as they have in the boards outside of Toronto and not increase the class size, and that's what's going to happen.

With these cuts, what you do is you start to slowly pare away what are considered extras, which usually are special-needs teachers, all the kinds of specialty things, the music programs and the gym teacher, the stuff that eventually starts to be considered extras. We feel it's very important that there's a kind of whole that is education and it's very important that we maintain that whole and we maintain a broad form of education, and that's what will start to be lost.

**Mr Patten:** One of the things we've heard as witnesses come forward is members, especially from the government side, ask about the differential in costs. I'm prepared to accept that there are some boards that can find some resources. My personal opinion, and certainly our party's, was that we would keep whatever resources were found in the educational system and plow them back in to help strengthen — the teachers and equipment and whatever it took. We come at it very differently.

But what tends to happen is people will use Toronto as an example and say, "See how expensive it is." Of course, there are some good reasons why it is more expensive. I'm also prepared to suggest there are ways in which you could take some resources from perhaps administration and be more supportive to schools like yours, and that would be very important.

I wonder if you might talk a little bit about the organization that you're part of, how it's growing and where it's growing. How many parents are now becoming involved in your organization?

**Ms Kidder:** We just started in February. We started talking to parents just in Toronto. When people found out that we existed, parents started phoning us from Hamilton and Windsor, from the Halton and Peel boards that had big cuts, from Barrie. Now we've been talking to parents in Sudbury and Thunder Bay.

It's important to us and to all the parents we've been talking to outside of Toronto that they don't see this as an issue of Toronto the fat cat and that they're losing because of us.

We had a demonstration, our first rally to support our schools, to save our schools, at the end of March, and 1,500 people came to Queen's Park. People are signing a petition opposing the cuts. We're organizing another festival to save our schools at the end of June. At this one we're going to have music and bands, choirs and drama groups, to show what's at risk in our schools. There are thousands and thousands of parents now on our phone and mail list, and a lot of them are outside of Toronto. They're across Ontario. They're very, very worried.

**Mr Michael Gravelle (Port Arthur):** A terrific presentation. I agree with Mr Patten. I think you really came to the heart of it.

One point that particularly struck me was the concept of defining what is essential in our schools before we start cutting, and I think that's absolutely true. I think you start playing with terms, like what is classroom and non-classroom, and I sure don't expect you to sit here and tell



us right now what is defined as essential, but I think that's a very good point and one that probably should make a lot of sense to everybody, all three parties involved. I hope it's listened to.

**Ms Kidder:** Thank you.

**Mr Floyd Laughren (Nickel Belt):** I enjoyed your presentation. I'll try and choose my words carefully because I don't want to malign anyone, but I'm wondering to what extent people out there, in your organization, as an example, understand or have a good sense of the kind of language the Minister of Education is using as this debate unfolds.

That's why I say I'll choose my words carefully, because I don't throw the word "dishonest" around lightly. But when I hear that the reductions are only 2%, that is playing people for fools, to think people will buy that it's a 2% reduction when it's a 15% or 16% reduction. People aren't that stupid, I hope. Also about the whole classroom issue, that the money that's coming out must not come out of the classroom, and how stupid the minister thinks you and others are to think you can take \$1 billion out of the system without affecting the classroom. All sorts of historical images come to mind about people who made up those kinds of stories —

**Mrs Ecker:** It was your government study that said that, Floyd.

**Mr Laughren:** — and said that if you tell it often enough, people will believe it. I'm wondering to what extent there's an awareness out there, where I'm not — I don't have any kids in the school system any more — of what's going on and what this language means about the classroom and 2% and so forth. Do people really have a handle on that, or are they buying it?

**Ms Kidder:** They're not, because they're parents. The thing about most of us who are involved in this organization is that we are parents. We're in the schools all the time, every day. We actually know what a classroom is. We know what's involved in maintaining a classroom. We know you can't just define a classroom as being the teachers and the pupils in the middle of nothing. So we're not at all fooled, and that's why there are so many of us who actually are people who voted for the Conservative government — they're really shocked at what's happening, and they are not fooled and they are amazed and they are very upset.

1600

I think when they listen to these numbers, they just have to go and look and understand what it means. They just have to know how many teachers were laid off in their board to know what those numbers mean.

**Mr Laughren:** As someone who is concerned about the deficit as well, there are two aspects of this debate that bother me. One is to pretend the deficit is important while you're cutting 30% out of the income tax system. It blows my mind that you could make that argument and think that people will buy it.

The second is the honesty of the debate. My own feeling is that if the government and the minister had said, "We are going to cut and we're going to cut in the classroom, and it's going to be \$1 billion a year," or whatever, that would be an honest debate. But to say there are going to be cuts but they won't affect the

classroom is truly — I'm uneasy about using too strong a language to make a point, but honestly, how can anybody expect to be believed when that's the case?

**Mr Preston:** That's the case in many, many boards.

**Mr Laughren:** We know that's not possible.

**Ms Kidder:** The thing is, we are not stupid, and the thing about parents is that they're quite obsessive when it comes to their children. So parents actually look at it really hard, most parents, and aren't fooled and do know what's really going to happen because of these cuts. I think that's why we came here today, to sort of let people know there are a lot of parents out there who are going to scream and yell and not allow this to happen.

**The Vice-Chair:** Thank you very much, Ms Kidder, for your presentation.

### JACK GARNER

**The Vice-Chair:** Next we have Jack Garner, who is the chair of the business and finance committee at the Simcoe County Board of Education. Welcome to our meeting. You have 30 minutes for your presentation, and that will include any questions or comments that may come from committee members.

**Mr Jack Garner:** You'll be happy to know that I'll give you some makeup time because my presentation isn't anywhere near that. On the other hand, I'm sort of happy to see you're in the chair, because being an ex-cadet from RMC, I'm counting on you from Kingston to make sure no one beats up on me.

**The Vice-Chair:** I'm glad you got Kingston on the record.

**Mr Garner:** Before I begin, though, you see here in front of you a 60-plus grandfather who was one of 11 children, who had two sons and now has three grandchildren in the public education system in Ontario.

I support the principle of public education in the province of Ontario, but I'm very, very concerned about its survival. The reason I'm concerned about its survival, generally speaking, before I begin specifically, is because whether we like it or not, based upon the economy of this province right now, it is overfunded. I'm sorry to say that, but that's an absolute fact. But that's another story at another particular time.

I'd like to take about five or 10 minutes of your time right now to give you my little presentation referenced to the amendments to the Education Act, which of course is Bill 34. If I may, I'd like to give you a short background on the Simcoe County Board of Education and then also on myself.

The Simcoe County Board of Education is considered to be a fairly large public board. We have a student population around 50,000 and we have an annual operating budget of about \$300 million. We are considered and we are a very responsible and proactive board. We react in a very fast and positive way to any anticipated changes in legislation, ministry programs and/or funding, and the reason we do that is because we believe we are in a changing economy now and in a changing education system, and therefore it behooves us, as a board, to react very quickly to these changing times.

As an example, we adjusted our expenditures just this last January so that we were able to flatline our education

taxes in the city of Barrie for the second consecutive year, thus proving that if there is a will, there is a way. Plus, and this is the most important thing, we as a board at the same time continue our guarantee to our students that we will give them the highest standard of education, second to none, anywhere. We are committed to that and we are able to deliver on that commitment.

I'm a volunteer elected trustee on the board from the city of Barrie. I am not here as the board's official spokesman, because no single trustee, as no single MPP, speaks for the policy of the corporation. Our corporation, of course, is the Simcoe County Board of Education. However, I was elected by my board peers to chair the business and finance committee as well as the budget committee.

With respect to the proposed Bill 34, our board has reacted. We have set policy in that we will not continue the junior kindergarten program beyond June 30, 1996 — unfortunately but realistically. We have set policy that adjusts our adult education programs to reflect the funding changes and other possible changes through the proposed Bill 34.

We have set policy that increases our cooperative support with the Simcoe County Roman Catholic Separate School Board, Georgian College and municipal governments in Simcoe county, as well as the community private sector, in joint cost-saving ventures. These are very positive recommendations in this proposed bill.

We have set policy that recommends the repeal of the Education Act in respect to covering absence because of illness, which is commonly known in education and political jargon as retirement gratuities.

Our board is not on record in respect to the proposed changes in legislation in reference to equalization payments. I really don't want to comment on that right now because it would simply be a personal comment, not a board policy comment or even possibly a comment that should be coming from some other jurisdiction except possibly Metro Toronto and the Ontario government.

I know you have heard many statements, comments and recommendations in respect to junior kindergarten programs and adult education. Therefore, I'm not going to address junior kindergarten or adult education except to answer any questions any committee members might have for our reasons as a board to develop the policy we did in both of those programs.

Cooperative cost-sharing between coterminous school boards, as proposed in the act, is an area where major cost savings can and should be made in education. This is an education area that has great potential for many of the savings the public education system in Ontario requires. However, and this is where I caution you people of government's responsibility, the legislation and government direction to reach this goal is going to have to be very direct and very firm. The province cannot leave any doubt in the minds of the coterminous boards that this is the goal you expect.

In reference to the section in the proposed bill on sick leave entitlements, you, being the government, must repeal this section of the act. To give reasons for this, I have attached for you some background information, which I might add is very interesting, on sick leave

entitlement. It's very informative information that I would ask each and every member of this committee to read.

One piece of information is an excellent paper on the history and development of the retirement gratuity, prepared by Manon Bouchard. M<sup>me</sup> Bouchard is an honours graduate in labour studies at McMaster University.

The other piece of information, equally as interesting, is the actual experience of the Simcoe County Board of Education, through our administrative reports, that will show you that our retirement gratuity payout rose from \$436,000 in 1990 to \$3.4 million in 1996. Our projections, and you have copies of our projections there, show that this will amount to \$5 million per year in payouts within the next couple of years.

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I just had to make this little comment on the side, because this committee I'm sure is very familiar with the temporary moratorium the ministry has placed on capital funding to school boards. We in Simcoe county are considered a major growth board. We have six new schools in the planning right now that the ministry had given us pre-approval for. We are now awaiting ministry approval for the funding of these, and also approval of the projects. My comment on the side is that we as a board could, capital from current, build one of these schools each year for \$5 million each if we had those funds that we're now spending on retirement gratuities. I certainly find that something to think about.

Something else that I think is very, very important: If you research this and if you talk to a lot of people about this, a lot of people within the system, the repeal of the sick leave entitlement, commonly known as retirement gratuity, is the one single section in collective agreements that most teachers are willing to agree with as school boards move towards the absolute necessity to downsize the total compensation packages they have with their employees. If anyone doesn't agree with that statement, I would suggest if you research it a bit and you do a little talking to the people in the trenches, you'll find this statement to be correct.

It is an absolute necessity for school boards to downsize their compensation packages to employees. If they do not downsize — and I guarantee this 100%; I can't speak for every board in this province, but we are all in the same boat — they will not be able to continue their past practice of employee remuneration unless this government is willing to accept the responsibility of fully funding provincial education or the boards are prepared to accept the responsibility of major increases in local taxation. There is no choice other than those two possibilities. Either way, minimum annual increases of 5% in the boards' operating budgets will be required to fund the salary and benefit increases alone.

I'll give you my conclusions and recommendations now, if I may.

First of all, I would ask you to legislate coterminality in administration between separate and public school boards. Maximum out-of-class savings can be made through the amalgamation of board administrations. This is a major, obvious area for education finance reform, but please put enough teeth in your legislation to force, if necessary, these goals.



I've been asked many times — I'm sure a lot of people have and a lot of trustees have, both by public and separate school supporters — "Tell me please, Mr Garner, what is the difference between a Catholic bus and a Protestant bus?" There really isn't any difference. The only difference is in the bureaucracy of the way we set up our transportation systems.

Please repeal the section in the Education Act in respect to sick leave entitlements. Mr Laughren, I'm sorry you missed this; you would have enjoyed it, sir. Oh, he didn't hear me. Adjustments are needed to contracts, and this repeal will have the least effect upon teachers' future economic status and benefits in comparison to other possible adjustments such as salaries and benefits. At the same time, notwithstanding grandfathering obligations, school boards will have more economic flexibility to meet other important budget requirements.

That brings me to the end of my presentation. I would like to thank you very much for the time you've given me, I'd like to thank you very much for your committee's attention, and most of all, ladies and gentlemen, notwithstanding what we have to do these days, I would like to thank you very much, each and every one of you, for your dedication to the citizens of this province.

At this time, I'd be more than happy and more than pleased to answer any questions you might have.

**Mr Patten:** Thank you, Mr Garner. I appreciate your presentation; it's very clear. Frankly, I don't have any difficulty with some of your recommendations, certainly, on the strengthening of the consortia to find ways of saving and things of that nature. But you did say in your presentation that you'd be happy to explain in more detail the reason why your board has modified adult education, to what degree, and that you've dropped junior kindergarten. These are two classrooms. So could you explain the rationale for the board?

**Mr Garner:** Yes. In reference to junior kindergarten, that would be very difficult now because this is board policy and I would possibly just give you my rationale, what I believe to be the rationale of the trustees. We have 18 majority language trustees on our particular board and 16 wanted to abolish it — I shouldn't use that word — as of June 30, and two for their own personal reasons and their own philosophical reasons decided to keep it.

Very simply, it just fell below the economic and/or programming priority that our board felt that we were going to have to maintain over the next one, two, three, four or five years to provide the standard of education that the five-year-olds to and including OAC and then to grade 12 are going to require to have them accomplish what they have to to meet the particular marketplace. I realize that's a very short and a sort of very simple answer.

We, as a board, realized very quickly that \$100 billion is a lot of money. The deficit of this province, I think everybody agrees, we can't sustain. No 11 million people can sustain this deficit any more, and therefore everybody involved is working on this.

Therefore, as we made our moves, and this board began to move in 1990, to downsizing programs — and I'm sorry, they do affect the classroom. You can't take one cent out of education without affecting the classroom,

but the bottom line is that you try to minimize the education effect on the student. We could debate until this world comes to an end whether they should have 32 or 33 or 31 in a particular room but, whether we like it or not, economics enters this particular equation. Therefore, reluctantly, that's why we decided we could not sustain the quality of education for our 50,000 students and continue the JK program.

When it came to adult education, as you know, the funding formula was changed for continuing education. Therefore, we had to make particular adjustments to that, because there is a certain segment of society out there, even though they understand the necessity and agree with the necessity, as I do, whereby we have to provide broad education even to those particular adults, there are a few people out there who say they had their kick at the cat on the public system.

What we're doing, very simply, is we're adjusting ours whereby we're going to equalize, in cooperation with private industry and other persons in Simcoe county, the revenues and the expenditures in our continuing education whereby it will flat-line and therefore will not reflect a cost that we can use on educating our kiddies from kindergarten to OAC. It's as simple as that: reluctantly, JK, we can't do it; when it comes to continuing education, our programs in continuing education will be at least as successful in the future as they have been in the past with the new structure.

**Mr Gravelle:** I find it astonishing, Mr Garner, that you would actually admit you cannot maintain the quality of education based on having to make these cuts.

**Mr Garner:** No, I didn't say that, sir.

**Mr Gravelle:** I thought I heard you say it. What I heard you say is that you obviously have increased the size of classrooms.

**Mr Garner:** Yes, sir.

**Mr Gravelle:** You've done that. That's how you've managed your cuts. How many teachers have you had to lay off?

**Mr Garner:** Gosh, right now we are in the process. When it comes to secondary and/or elementary, we're a growth board, and so therefore we haven't come to our final staffing yet. The Simcoe County Board of Education, if I may speak for them, we don't believe that money is the main criterion for education success, sir. We think it's dedication. So therefore we adjust to the economy as we have to, honourable sir, and we are reluctant to do particular things like that. But we're not blind to the economy and that's exactly why we're moving in that particular direction. It will not lower the quality. It does not have to, and it will not lower the quality of education for students in the classroom.

1620

**Mr Gravelle:** But you admitted it affects the classroom. You did admit that. In one of your answers you admitted it affects the classroom.

**Mr Garner:** You can't take one cent out of the education budget without in some way having it affect the classroom. Will it affect the quality of education to the student in the classroom? No.

**Mr Gravelle:** You obviously seem very concerned about the level of debt. How do you feel about the fact



that over the next four years the level of debt will rise by \$20 billion?

**Mr Garner:** I hate that.

**Mr Gravelle:** You hate that.

**Mr Garner:** That's right.

**Mr Gravelle:** But you still buy into the argument that indeed you've got to deal with all the education — it's almost like education isn't your priority, sir, and I don't mean to be rude, but certainly —

**Mr Garner:** Oh —

**Mr Gravelle:** Well, I mean, that's the impression that you left with me in terms of —

**Mr Garner:** No, sir.

**Mr Gravelle:** There's certainly a toughness about you and I admire that, but there is a sense that you really have said, "What the bottom line here is that we've got to meet the targets we're told to meet."

**Mr Garner:** No.

**Mr Gravelle:** Well, the financial targets. You proudly say that, "We're told we have to deal with it and we deal with it right away and we handle it."

**The Vice-Chair:** Mr Gravelle, your time has run out.

**Mr Garner:** Actually, sir, I have a very genuine concern. If you want to cut to the quick, why would a 61-year-old guy like me do this if I didn't, really? But there are a lot of people who do not want to include the economics of it in the equation. We cannot include the economics in the equation, and therefore we take what we get and we do the best with it that we possibly can.

But you mentioned \$120 billion. I don't like \$120 billion, but I would dislike \$130 billion or \$140 billion more. But, anyway, I'd sooner have it zero.

**The Vice-Chair:** Mr Laughren, any questions?

**Mr Laughren:** Sorry I missed your presentation.

**Mr Garner:** I'm sorry you did too, sir.

**Mr Laughren:** I had to return a call to a parent who's having trouble with getting her son into a program, because he has special needs. I regret that I had to take time out from your presentation to deal with that parent. I'm sure you'll forgive me for missing your presentation.

**Mr Garner:** Absolutely, sir.

**Mr Laughren:** I assume that even if the government had not cut education grants to the boards you would have done these things anyway, right, because there's too much money in the education system, you indicated?

**Mr Garner:** No.

**Mr Laughren:** I thought you said that the education system was overfunded.

**Mr Garner:** It is.

**Mr Laughren:** If there hadn't been any cuts, what would you have done to reduce the spending in the education system? Why wouldn't you have cancelled junior kindergarten and made changes in the adult education at the board?

**Mr Garner:** We're getting very specific now. I would suggest myself, and I'm just guessing now, because in reality the cuts were made. That we would have made minor adjustments. We would have done the continuing education regardless of the cuts because we were still able to. But we're picking the bottom of the bucket when it comes to particular program savings like that in that particular respect. Whether we would have been able this

year to retain the junior kindergarten program, I really don't know, sir. I would suggest basically by most trustees it was based upon an economic rather than a philosophical point of view, because as you well know, some people look upon it as an extension of day care and so on and so forth. But, no, I think, sir, it just did not, regardless of the cuts which came and therefore I can't speculate what would have happened if they didn't come, sit above our program of economic priorities. Reluctantly, that's what we did.

**Mr Laughren:** I understand. I was trying to get at the underlying philosophy that the education system is overfunded. Presumably, if it's overfunded, you would take money out of it in order to be a responsible member of the board. So presumably you would take money out of it and I was just trying to get at whether or not what the government did was almost irrelevant to the operations of your board, whether you would have done those things anyway.

**Mr Garner:** Mind you, it did give us the impetus to focus on it a little more. However, sir, we're still dedicated to the flat-lining of local taxation for many obvious reasons, because there are a fair number of people who just simply don't feel and cannot, especially in Simcoe county, being a fairly diverse agricultural area, there are some people out there who don't have any money in their pocket, and so therefore we're moving in that direction.

But, no, you're absolutely true when you say that had the government not imposed this upon us, then we might not have made the maximum adjustment. You see, we had to adjust about \$19.1 million within our budget, and therefore we possibly might not this year have the focus to do that. So they certainly gave us a kick-start, if that's what you want to call it.

**Mr Laughren:** Will you be able to reduce the property taxes for your ratepayers?

**Mr Garner:** This year? Gosh, you missed that, sir. We did flat-line them, sir.

**Mr Laughren:** No, no, reduce.

**Mr Garner:** I can just give you my opinion, and I don't particularly want to give you my opinion at this particular opinion. But I can give you my particular philosophy, if you want, on the localization of taxation and so on, and as to the tax burden people are carrying, because of who carries it. Who carries it? Everybody carries the responsibility both residential and so on and so forth, but I don't know whether this is the time and place for that —

**Mr Laughren:** I'm responding to your presentation here; whether you come on your own or from the board isn't my determination; you decided that.

**Mr Garner:** That's right. I understand.

**Mr Laughren:** So what I'm trying to get at is why you haven't reduced taxes for your ratepayers, the way the government has reduced income taxes.

**Mr Garner:** Well, again without getting into it, because of the unequal assessment in Simcoe county we have reduced the actual taxation levy for a fair number of people in Simcoe county.

**Mr John O'Toole (Durham East):** I want to thank Mr Garner for the background information on the teachers' gratuity. I had a quick flip through it. I'm fairly

familiar with it — excellent report. Thank you for giving that to us.

I guess you're familiar with the Sweeney report. One of the appendixes in there refers to the retirement gratuity, and I'm just drawing it to your attention that you're right on the mark. Right now, the gratuity liability stands at around \$900 million, and the actual money that anyone saved, which they should have or were supposed to have saved, is around \$100 million. This is a serious, serious liability for someone. Who does that belong to: the boards or to the Ministry of Education? That's \$900 million of retirement gratuity, which is a perk to retire at 52; that is \$900 million that does not go to students in the classroom. Has your board got a view on that?

**Mr Garner:** I think you'll find, John, in our buildup to that in our administrative reports, we began last June to develop a process to account for and/or set aside for the unfunded liability that we have in our board for the retirement gratuities. We ended that process in January, and we're not going to move into a process to fund those liabilities. However, we have moved into a process, in our particular board, whereby we're very, very closely going to guesstimate the amount of moneys needed and for retirement gratuities based upon the 90 factor and so on and so forth, and that's why in this year's budget we put \$5 million into our current operating budget.

**Mr O'Toole:** I think that's important, and if you apply that to — there are many boards in Ontario that have been very good and have saved that money in a reserve fund and many that have not. In fact, it's \$900 million to \$100 million. So many of them have not been honest with their taxpayers.

If you've read that, my view is that this is really, in a broader sense, about equity in education. Do you believe that the province is taking the right direction that a child is a child, and that whatever the grant level is, the funding per student should be equal across the province, regardless, for the purity of education, not those special grants for ESL and adults, like learning problems and those kinds of external grants? Do you believe that we should be aiming or working towards fairness and equity across the province for all students in Ontario? Cornwall isn't Toronto, isn't London, isn't Muskoka, isn't Barrie. I realize the difficulty involved, but having said that, I agree with that statement.

1630

**Mr O'Toole:** Do you believe that fundamental to this whole thing is education finance reform?

**Mr Garner:** Oh, absolutely, no doubt.

**Mr Bruce Smith (Middlesex):** Welcome to the committee. Yesterday, the Ontario Public School Board Association, of which I assume Simcoe county is a member, indicated to the committee that to the best of their ability approximately 10% or 12% of their member boards would actually be involved in some form of cooperative service delivery arrangements. I found that a little bit surprising, and I just wanted to get your opinion today as to whether or not you feel the legislation as it is currently drafted will provide boards with the opportunity to see an expansion of that 10% to 12% into a much broader basis.

**Mr Garner:** Yes, I do, Bruce, and why I hesitate is because I'm a very strong advocate of local governance,

and I would like to think that coterminous boards such as our coterminous board in Simcoe county would move full speed ahead in this particular direction. In this particular case, this is why you'll notice in my presentation I used the words — reluctantly to some degree — “put teeth in the legislation.” In other words, I believe, notwithstanding local governance, you people do have a responsibility because it is your responsibility; therefore, I would like to see, and I know our board would like to see, a very strong move towards the total coterminality of administrations in coterminous school boards vis-à-vis ours in Simcoe county.

My own personal opinion is I don't think it will happen voluntarily and therefore I think you people are going to have to give very serious consideration how far you want to go to achieve those fantastic savings in education outside the classroom.

**Mr Terence H. Young (Halton Centre):** The Ontario teachers' pension fund is worth around \$42 billion right now — it's more than the Canada pension plan actually — and yet this year the province of Ontario will pay about \$900 million into that. As well, we have an \$8-billion commitment over the next 40 years. Would you agree that should be reviewed?

**Mr Garner:** That is not under the jurisdiction of Bill 34. I am very familiar with the teachers' pension fund. The responsibility for funding it is yours and the teachers'. Forty-two billion dollars is an awful lot of money. The unfunded liability has built up over a fair number of years, especially the last three, four, five years, but yes, I believe — we are getting off the subject, but if you ask me, I believe myself that some government of courage in the next little while is going to have to address that issue very, very seriously.

**The Vice-Chair:** Okay, we'll have to leave it at that. Thank you very much, Mr Garner, for your presentation.

**Mr Garner:** Greetings to Kingston, sir. Thank you.

PAUL STEINHAEUER

**The Vice-Chair:** Next we have Dr Paul Steinhauer, who is a psychiatrist with the Hospital for Sick Children. Welcome to our meeting, sir.

**Dr Paul Steinhauer:** I would like to talk with you, Mr Chair and ladies and gentlemen, as someone who has been a child psychiatrist for 34 years now and who much of that time has felt like the person who goes to the bank of a river with drowning bodies by the thousands floating down and has to decide what is he going to. Is he going to pick out a few and provide mouth-to-mouth resuscitation or is he going to go back upstream and try to do something about the rate, to cut down on the rate of developmental carnage?

Over the seven years since the Ontario Child Health Study has come out with my colleagues in the Sparrow Lake Alliance, who are roughly 200 professionals from seven different service sectors with representation from youth groups and from the groups of adults whose children have problems of one sort or another, and with my colleagues from Voices for Children, which is the last printed document that you have — and the 16 or 17 organizations in Ontario are listed on the back side of that pamphlet. We also have two national colleagues, the



Canadian Institute of Child Health and the Child Welfare League of Canada.

I want to talk with you today about junior kindergarten. I think there's a general feeling that if you ask people, "When does a child's education start?" they will often answer, "When he goes to school," or, "On the first day of grade 1." However, most kids who later on go on to drop out are already well behind by the first day of grade 1 and the majority of children who drop out of school do so often because they arrived at school without the skills and attitudes that are needed for success and learning by the time they reach grade 1.

On the first page of the stapled handout that I gave you, I've listed on the top some prerequisites for success in grade 1. I would like to suggest to you that research is increasingly able to pinpoint the fact that during the first three years of life, there is a critical period in child development during which certain developmental capacities, if they don't occur during this period of the highest development of the brain, will not occur fully. Those include intellectual functioning, they include the capacity for emotional control, including the capacity to control aggression, and also the capacity for forming attachments, which is related to the quality of relationships the children will form throughout their lives and their ability to be sensitive to the feelings of others.

As a very interesting article in *Newsweek* showed on February 19, those windows of opportunity in those three areas close by the end of the third year. That doesn't mean it's game over for those kids; what it does mean is you're going to have to work harder and you're going to achieve less in terms of helping those kids achieve their full potential if you start after the fourth year of life.

Apart from genetics, the main factor that helps get kids ready to be successful in school is the quality of caring they receive from parents and others before they arrive in school. I'm talking here about the time adults take with them, the energy they have to be involved with them and sensitive to their needs, their ability to respond appropriately to the needs of the child, to give them the cognitive stimulation without which they're never going to reach their cognitive potential and to give them the kind of structure they're going to need if they're going to get their impulses under control, particularly their aggression, and if they're going to learn to focus their attention.

Who gives this head start to Ontario's children? In 13% of cases — and I have only Canadian statistics here; I don't have any specifically for Ontario — there is a full-time parent in the home. That's although 65% of parents say they wish there could be a full-time parent in the home but they can't afford it.

Why can't they afford it? They can't afford it because in 1976 it took 41 hours of work at a minimum wage job to keep a family of three out of poverty, whereas to achieve the same level today, in the 1990s, requires 75 hours of work a week to maintain a family of three at the same level. As a result, in almost 70% of our families, we have two parents who are working and often parents lack the time and the energy to give their kids the start they need. In the 60 years that statistics have been kept in both the United States and in Canada, at no time has there been less actual time that parents spend with kids than is the case here in the 1990s.

That doesn't necessarily mean it's a bad thing if both parents have to work, because kids can do fine as long as three conditions are met. The first is that the parents are involved, caring parents when they get home from work. The second is that whoever looks after them when they're not at work is going to care for them well, meeting those same characteristics that I was talking about a few minutes ago. The third is that the parents aren't so stressed out by work that even though they have the time they're not free to have the quality of relationships with their kids that kids need in order to get ahead.

#### 1640

There are some groups of kids who are particularly at risk. We know for example that poor kids have over twice the rate of dropping out of school. Poverty in these cases is an additional stress, but it's often the combination of poverty with the psychosocial factors that are often combined with it, the higher rate of abuse, the higher rate of mental illness in parents, and particularly by that I mean depression, particularly in the mothers.

We know that first nations kids on reserves are at particularly high risk. We know that you can be disadvantaged without being poor, as well as you can be poor without being disadvantaged. Children who are exposed to chronic conflict and violence and/or abuse and abuse of the other parent or abuse of other children can be as damaged as if the child himself is the subject of the abuse.

We know that parental mental illness can be a major factor in undermining the child's preparation for school, and we know that the family that is neglectful, the family that doesn't stimulate the child cognitively, that doesn't provide the structure in an ongoing way that will help him achieve the ability to focus his attention and to control his impulses — those kids are going to be at risk.

For those kids a high-quality experience in some sort of either child care or early childhood care and education will have a dramatic effect in enriching those children cognitively and preparing them for success at school.

I've got a list that I gave you, I think it's the second sheet of the stapled sheets I gave you, which talks about the Perry preschool project. That is a school-based program. It is with multiply high-risk kids. All of those kids had a minimum of four risk factors, which quadruples the risk of their getting off to a bad developmental outcome, and I want to make it very clear that for those kids it was high-quality, early childhood care and education in a school base over a three-year period. So I don't think, I'm not suggesting for a minute, that just one year of early kindergarten is going to have the same result.

What was special about this project was that they followed those kids until they were age 27, and when they compared them to other kids from the same kind of families, they found 50% fewer arrests and convictions; 33% more high school graduates; 50% fewer who had ever been on welfare; and there was 42% fewer who had ever had a teenage pregnancy, which meant that they were not set up for chronic dependency for life, plus a number of other factors.

That was an extremely high-cost early childhood care and education program, but when they compared the cost of that program to the cost of not having the program, the



additional mental health services that were required, the additional remedial education services that were required, the cost of crime control, the cost of welfare and social assistance, and also if they titred in the number of those kids that were paying taxes rather than being on the dole, they figured that every \$1 that was spent on the program had saved an estimated \$7.14 by the time those kids were 27 years of age.

That shows what can be done by a really high-quality early childhood care and education experience.

On the bottom of the first page, going back a page, I have listed the effects on children of high-quality and poor-quality early childhood care and education. I want you to look at what poor-quality child care does. I don't care whether it's poor-quality care by parents, by relatives, by a nanny, by home care or by day care. What it does is accentuate the losses in all the areas that are necessary for achieving in school and for controlling aggression by the time of school, and also we know that poor-quality child care, wherever kids get it, is so damaging that it can't fully be offset by even high-quality parenting. On the other hand, the combination of poor-quality parenting within the family and poor-quality child care when the parents aren't around really tends to set kids up for failure.

I've tried to illustrate to you through the Perry project what a difference it could make. I've warned you not to expect comparable savings for a single year of junior kindergarten, because other studies have shown that the more high-quality childhood care and education young children get before school, the more likely they are to do well in school. But there is no doubt, from everything I've seen in the literature — and I think I know it reasonably well in this area — that the attributes that are needed for success in school, those ones that were listed by the conference board, and also for the control of aggression — and I would warn you that these two conditions go hand in hand. The poorer children do in school, the more likely they are to have problem in control of aggression, and the more poorly they control their aggression, the more likely they are to have problems in school, so that dropping out and becoming delinquent have a high potential for aggravating each other.

I also remind you that we've had junior kindergarten in this province since the days of Bill Davis, and junior kindergarten is something that is important to voters. We know that because the two things the Alberta electorate rose up about were medicare and junior kindergarten. I suspect the Ontario voters, from some results I have seen, feel the same way.

I respect the need to do something about a deficit that is eating up 40% of every tax dollar to pay for interest, and I know that means certain services have to be cut, and I think there is room for cutting in each of the service systems. However, if we're going to go cut, let's cut smart and not cut stupid. I would suggest to you that cuts that undermine the development of kids at risk or kids who are at the borderline of being at risk are stupid cuts in that they save dollars now but we're going to pay much more later and achieve much less for it — for the dropouts; for the illiteracy and innumeracy that result; for the crime control costs we're going to be faced with; and

for the social assistance and unemployment insurance costs.

I suggest to you, ladies and gentlemen, that there's no better investment for a society in either economic or human terms than a good investment in supporting children to achieve their developmental potential. If they make it to become healthy, competent and productive citizens, then we all benefit and the province benefits. If they don't make it, then we will all pay for higher health care costs, higher mental health costs, higher remedial education costs, higher crime control costs, higher costs of social assistance and a lower quality of civic life.

**The Vice-Chair:** Thank you very much, Doctor. We have five minutes per caucus left and we start with the New Democratic Party.

**Mr Tony Martin (Sault Ste Marie):** I just get here and I'm on already.

**The Vice-Chair:** You've got to be ready at all times.

**Mr Martin:** Good thing I was a Boy Scout.

**Mr O'Toole:** Do you want us to take your time?

**Mr Martin:** No, no, I wouldn't want to do that.

You make some really excellent points, Doctor. It certainly raises some questions for me, and I would suggest that if it doesn't raise some questions for the folks across the way, they're just not listening to what you're saying.

**Mr O'Toole:** How do you know?

**Mr Martin:** Some of the things you're doing indicate that.

In light of the very real evidence that you've put on the table today and that we know is out there to support the inclusion of as much early childhood education and opportunity for kids to learn and to socialize and to interact as possible, particularly in the environment we have today where, as you said, a lot of parents are both working and the pressures that are there tend to increase the stress level as opposed to bring it down, we need the kind of intervention that we as a government were moving very dramatically and clearly to making sure was there.

What in your mind would possess a government, given the long-term gain for the present investment in that kind of opportunity, given that there's been nothing tabled to support the dropping of junior kindergarten and some of the pre-school initiatives that were beginning to unfold and take root, to make the cuts that are being proposed in this particular bill or that would ensue because of this particular bill?

1650

**Dr Steinhauer:** I can't presume to think what's in the mind of the government. What the government has said is that it's concerned about the effects on the next generation if the economic system continues to deteriorate. I think it's a real concern if the economic situation continues to deteriorate. However, as I said, I think there are cuts that can be made that are not going to impair the development of the children who are going to be the parents of those children in the next generation. To me, there's a need for long-term planning rather than just, "Let's cut now and we'll see what the consequences are later." I think the consequences are clear from the literature if we don't get kids off to a good start.

It's like a 19-wheel tractor-trailer; if you want it to go north, it makes a lot more sense to start it going north than start it going south and, when it's going 100 kilometres an hour, tell it to do a fast U-turn.

**Mr Martin:** I know there's a ton of information and study and research that's been done to support more intervention at an early age, more opportunity at an early age. Is there any documentation or study done to say that's at least, even at the very best, neutral?

**Dr Steinhauer:** There's a great deal of information that has shown that interventions at every level — appropriate and focused interventions, because not all interventions are equally good, nor can you do everything through just government-funded interventions. We've got to do more in families. We've got to do more in our workplaces to take the pressure off parents. We've got to do more in our communities in particular, in addition to the sort of mainstream and specialized services. But there have been studies that have shown that we can cut down on the number of very low birth-weight babies who have all sorts of complications across the board, and also the number of brain-damaged babies.

There have been studies that have shown in the population that involves most of an American state, and that have been duplicated by studies in other states, that really high-quality home-visiting programs can cut down on the rate of child abuse very significantly — 50% below the child abuse rate in the whole state and 75% below that of high-risk people who weren't intervened with. If you cut down on child abuse, you cut down on teenage violence and other things. I've given you some of the statistics in the early childhood care and education area, but there are others from other countries that suggest equal results.

**Mr O'Toole:** You've outlined that optimizing a child's potential developmentally is affected by many factors, and you mentioned genetics, socioeconomic and care of the child.

**Dr Steinhauer:** Yes.

**Mr O'Toole:** Who is the primary caregiver, ideally?

**Dr Steinhauer:** Even if a child were in day care from morning to night, the studies have shown conclusively that the parent is still the primary caregiver.

**Mr O'Toole:** That's very important and I support that view myself. I have five children and my wife is a junior kindergarten teacher. In the interest of my peers, I'll let them make the same points perhaps.

**Mrs Ecker:** Just a very quick question. I believe you said 65% of parents wish to stay home if they could. Was it 65%?

**Dr Steinhauer:** Sixty-five per cent of parents said the best way to bring up a child would be to have a full-time parent in the home. However, only 13% said they could afford to have a full-time parent in the home.

**Mrs Ecker:** The reason I want to clarify that, because it certainly matches with what I'm being told by the parents I've been consulting with in the child care review very much, is because in the Star article that you've included you talk about 40% of parents wishing that one of them could remain home to parent full time. I wanted to make sure whether it was 40% or 65%. I'm not trying to put you on the spot, but I wanted to make sure because

I've quoted you frequently and would like to continue to do so, so I'd like to make sure I've got the right figure.

**Dr Steinhauer:** I will check that figure. I believe the figure is 65%. I will give you a call tomorrow with the figure corrected.

**Mrs Ecker:** I'd really appreciate that. Just for your interest, when I made the statement at a session with child care — the Ontario Coalition for Better Child Care — that the majority of parents did wish, if they could, to stay home and look after their child if they could afford to do it, recognizing many can't, I was roundly booed for that, which was an interesting opinion on their part.

**Dr Steinhauer:** By the way, I believe that the corrected figure is on the family fact sheet that was left with you, because the figure on that is correct. I will not call you if that figure is on there, and I think it is, because I know that was correct. We checked it before we came.

**Mr Young:** Under this heading, "Prevention Pays," these are dramatic, startling numbers on the results in arrests and convictions, teenage pregnancies, those sorts of things. But it is a fairly narrow demographic group. I guess it was about 1970, it was in the United States, it was in a project, it was children of poor, poorly educated, single teenage mothers. How does that apply to society at large in Ontario today?

**Dr Steinhauer:** First of all, as I said to you before, that's a multiply high-risk group. My guess is that all of those figures, with the exception of the teenage pregnancy rate, would be comparable with the very extremely high-risk populations here in Ontario. I don't think the teenage pregnancy rate probably would be comparable.

Again, that's talking only about the extremely high-risk sector of the population. We know for other kids that high quality early childhood care and education can be good for all kids, however well they're parented, but it can be really lifesaving in terms of potential for the ones who are most poorly parented.

**Mrs Julia Munro (Durham-York):** There are a couple of points that I wanted to make, and certainly one of them is the fact that we have made the commitment to reinvest moneys into child care and intervention. I wanted to ask you also about the Staying on Track program that was done in Belleville. I wonder if you could tell us how many people were kept in Staying on Track. In other words, of the 100% of the babies you saw, how many were kept in the program?

**Dr Steinhauer:** I'm sorry, I can't give you that figure right now. I will get back to you with that figure. Can you give me until the beginning of the week?

**Mrs Munro:** Oh, absolutely. I would ask you then to comment on that project.

**Dr Steinhauer:** Let me comment on that then, because I chose that as one of 12 outstanding programs in terms of getting kids off to a good start, some of which go right back to the prenatal period and others of which are dealing with the reorganization of communities. I chose that as one of these model programs for a paper that I did for the National Forum on Health called How to Protect the Development of Resiliency in the Face of Disadvantage.

It's a terrific program in that it pinpointed, at a very early point, kids who were at high risk. It tended to



follow them to get them to help earlier. It picked up all sorts of problems, many of which probably would not have been noticed if that kind of contact hadn't been established. I know that towards the end of the program they got into trouble for financial reasons, but I think it is one of the two more promising programs of that sort that I know.

**Mr Patten:** Dr Steinhauer, it's a delight to finally meet you and hear your presentation. I am aware of your career, having worked at the Children's Hospital of Eastern Ontario Foundation. If I'd known you were going to wear that tie, I would have worn mine this morning, because I have the same kind of tie.

I'd like to comment, first of all, in that the information you gave certainly is in tune with others who referred to various research projects. This gives a lot more detail, inclusively. If I might humbly suggest that if you can directly find a way to communicate to the minister, or one of his staff persons over there, the problems with committees are that usually the decision-makers are not at the committee. I think the data are piling up more conclusively every day in terms of the value and the investment related to junior kindergarten, if it is good junior kindergarten, in terms of long-term investment and the offsetting costs that would occur with the lack of such programs.

1700

I would also concur with your statement when you talked about the Alberta parents and their reaction to the Alberta government's affecting junior kindergarten. I would say the same thing, that the single most frequent representations that I have had by letter and by telephone and in person have been related to junior kindergarten over the last year.

In relation to your comment of smart cuts, I think everyone would agree that there are ways to be more efficient in big systems and that there are areas where perhaps you can afford to cut more without affecting truly the quality and the contribution of education. It would seem to me that this is one area. Part of the problem is that this legislation provides targeted areas. We heard from the school board yesterday that essentially said, "If you engaged us as a partner, we will help find that volume of resource, but we will find it in a less damaging manner." I wonder if in your experience as well that would be true.

**Dr Steinhauer:** I would think that one of the saddest things about the way things are done by governments, and I don't just mean the present government but all governments, is the fact that often practised wisdom from the people who are on the front lines doesn't get through, that government research is usually done by people in the government who have an axe to grind.

I think that some research that's done out in the community has an axe to grind too. What I think makes our Sparrow Lake Alliance different is that it has representation from a number of different sectors which are often competing with each other for funding, from the child care sector, from the education sector, from the children's mental health sector, from the corrections sector, from the education sector, so that anything that we come up with is at least some sort of balance, that if one

could leave aside the parochial interests of each group, what seems to make the most sense in the long run.

I think it would be really important. I think often the impression that those of us in the field get is that if we are asked to form a partnership, it's a partnership where the decision has been made before we're asked in. This is not any one government I'm talking about, but this has been the experience that governments deal with their own information, that the ministries have their own particular silos and that the outside is treated as if it were an enemy source.

I think that the leaders of all of the groups that are working with children have some awareness of the fact that we can't all have it all and continue to go on in this way. Some cuts have to be made. We have suggested to the federal government and I have suggested to each of the three major ministers who are involved with children in a paper that I wrote on the Canada health and social transfer some general guidelines that could make it possible for ministers to cut in ways that would allow savings without doing violence to the kinds of services that are needed if we're going to get those kids who are at risk off to the kind of start they need to become competent and productive citizens in the future.

**The Vice-Chair:** Thank you very much, Doctor, for your presentation.

#### WARD 2 PARENTS' COUNCIL

**The Vice-Chair:** I'd now like to call upon the parents' council of Ward 2, Abby Bushby and Sudhatri Murthy, to come forward, please. Welcome to our meeting.

**Ms Sudhatri Murthy:** My name is Sudhatri Murthy; I'm chairperson at the Parkdale Public School-Community association. This is Abby Bushby from the Howard Park —

**Ms Abby Bushby:** Home and school association. We're both representatives of the Ward 2 Parents' Council in Toronto.

**Ms Murthy:** I'll begin. I would like to read a prepared statement on behalf of our school-community association.

Thank you for this opportunity to address you on Bill 34, An Act to amend the Education Act. My name is Sudhatri Murthy, and I chair the Parkdale Public School-Community association. The bill amends five sections of the Education Act, but I will concentrate on only three: the section which allows Metropolitan Toronto to give education dollars to the province of Ontario, that section which makes junior kindergarten a local option and that section which limits the rights of adults over the age of 21 to attend high schools. These are of priority to our school community and have a significantly negative impact on our school and family of schools, which include Queen Victoria Public School and Parkdale Collegiate Institute.

As school communities, we support the Metropolitan Toronto School Board and the Toronto Board of Education in their opposition to legislation allowing property tax dollars to be remitted to the province. Property taxes collected for education should not be used to pay down the deficit. Our parents have supported increases in the local mill rate to support the level of service we need from the Toronto Board of Education through our repre-

sentative, Trustee Atkinson. This level of service is in place to ensure equity of opportunity and in turn equity in outcome for our students, and we have argued to maintain it in the face of ongoing budget cuts.

These services are under attack because they are viewed as extras that drive Toronto's average student costs above the 905-area average, \$1,400 per student worth. Equity of opportunity is supported by the Toronto Board of Education inner-city allocations that include increased staffing, funding for nutrition programs, English-as-a-second-language instruction as well as special education programs. These are not extra in a school where "there is serious economic and cultural deprivation." That's a quote from the proposed Metro-wide inner-city formula 1996 document.

A class at Parkdale Public School may be composed of half ESL students, a majority of the class living in high-density neighbourhoods as tenants, a turnover of students as high as 110% and a significantly higher-than-average number of working poor, two-income households and single-parent families.

The parents and taxpayers of Parkdale have an even greater stake in this legislation since many of them are working poor and tenants, two qualifiers that often go hand in hand. They are relatively unorganized but are a large constituency and represent the majority of families at Parkdale Public School, Parkdale Collegiate Institute and Queen Victoria Public School. As tenants, they are paying a higher rate of property tax while being represented on a per capita basis less than any other Ontarian. They live in a neighbourhood that is of medium density to high density, which is inherently cost-effective, yet are facing cuts to service for which they pay so much.

This redistribution of education dollars, as it finds its way down to the Toronto Board of Education and each of its schools, will mean a reduction of service and a reduced responsiveness to the local community, which in our case is very vulnerable. This legislation takes advantage of those who lack political representation and knowhow. The high investment in education in Metro is to ensure some degree of equity in outcomes for its students. Instead of commending this independence and local responsiveness, this legislation is penalizing it.

Junior kindergarten and adult education are two services which provide equity of opportunity to our diverse population through the public system rather than through personal resources. They both contribute to a healthy, educated and increasingly sophisticated population, which benefits all of Ontario. The kindergarten teachers at our school encounter children in junior kindergarten who often have not had any experience being with a group and who have not had the opportunity to use materials and toys that would benefit them in their grade 1 experience. In our neighbourhood, kindergarten is already having to ameliorate the lack of opportunity that young children face.

For those at the other end of the formal schooling spectrum, due to whatever combination of socioeconomic or migration forces, the chance to complete their high school education with a broad range and depth of courses benefits all high school students.

These two program opportunities are necessary to our family of schools and the families in that school com-

munity, and ensuring that the property tax dollars stay in the classroom will help true equity in education. Student needs should drive the budget and not equal payments for taxpayers.

**1710**

**Ms Bushby:** I have an address to largely read also. It's from the text but perhaps speaking it makes it come alive.

I'm a parent at Toronto's Howard Junior Public School. I'm in my second term as home and school chair. I'm also a member of the Ward 2 Parents' Council. It's a six-school group straddling Parkdale and High Park in Toronto. Our ward body is one of the most diverse in the city, with full income ranges, single- and two-parent families, recently arrived immigrants and a strong community-parental involvement with our school.

My daughter's class of grade 3 and 4 has 28 children. In grade 1 there were 22 in the class. Our inner-city programming, which measures income, the presence of public housing, statistics on juvenile delinquency, mother's educational level and the predominance of non-English-speaking recent immigrants puts us into an inner-city category of the lowest rung.

Last year we suffered a cut of \$19 million in the Toronto board budget due to our declining tax base. We lost some teacher allocation, half of our educational assistants and there were some cuts to central administration which I'm sure the board has informed you about.

Earlier this year I began to volunteer in my daughter's class and the common area once a week. Our school is designed with small classrooms that surround a common area serving six classes. They used to be staffed full-time with educational assistants who earned a mere \$19,000 a year. Now they do their help with curriculum supports, turning studies into three-dimensional projects and supervising a large working space on half-time. With our after-tax cookie sales we fund-raise to pay for babysitting so as to encourage more volunteers with young children to help out. For this we were featured in the Toronto Star, but it only adds about two half-days of volunteering a week. Already we've begun to notice that those classes without strong parental support are having to get by with less. Those with better strong parental supports — usually reading the wealthier children — get better parental supports. Volunteers cannot replace working professionals. As much as I love it, I will not be able to volunteer like this in September.

Non-inner-city Toronto schools have worse pupil-teacher ratios. Brown school at Yonge and St Clair has a grade 4 class with 38 students. How much worse can it get before those parents give up on public education and send their children to private schools? I understand that in Manhattan 55% of children attend private schools. A huge chunk of them left the public system when money was taken out of that system in the early 1980s. Is this what we want for Ontario? I hope not. I think not.

Last year I acted to pull together a network of parents from across Ontario who are concerned — across Toronto; Ontario's next — who are concerned about what is happening in education financing. We promote parents becoming informed on the various reform measures under way that impact public education, and parents act in their own wards with their MPPs and politicians that matter. In



our own ward 2 council, we have made submissions to the Sweeney and Golden commissions, the GTA panel and now to this committee.

Bill 34 pits student equity against all the problems associated with our declining tax base. I take it as a reasonable guess that if we did cut out junior kindergarten, we could afford the school property tax payment to the province. We cannot do that. A well-funded early intervention program in Alberta of 30 years ago was followed up recently. For every dollar spent in the early years, \$7 was saved in not having to pay for adult education, adult retraining, less juvenile delinquency, and a reduction in welfare payments.

To transfer adult students to adult education is to transfer them to an inferior system. For good reasons, teachers in continuing education earn less. It's less rigorous and has poorer resources than regular day school. I know several people who have taken the conversational French and can't speak French; I'm sure you do too. Furthermore, the greater the inner-city need, the more the students of low-income, troubled, single-parent or non-English-speaking families, all of whom live in Toronto in greater than average proportions by comparison to other parts of Ontario, have more disadvantages to overcome, with fewer personal resources.

I agree with earlier submissions that it's probably illegal, and certainly contravenes the purpose of local property taxes, which ought to be primarily of a local benefit, to extract a school property tax payment from Metro. Non-residential property taxes are too high and now they are being asked to support the whole province. The truth is that they have been supporting the provincial education finance system for a long time because of the nature of the education grant system — I'm not telling you anything you don't know — being based on real estate value. The flight of non-residential taxes from Toronto and Metro to neighbouring jurisdictions is well documented.

The tax differential problem between residential taxpayers is not hard to solve. To digress for a minute, note that the tax differential between homeowners and tenants in urban and suburban GTA communities disappears if Toronto tenants are taxed at the lower residential rate and single-family homeowners' in Toronto taxes increase to meet them. That's a city of Toronto submission before the Golden commission.

But we must solve the inordinate tax problem between Metro and non-Metro, non-residential tax bases. While homeowners are not particularly hit hard by the \$30-million property tax payment, non-residential and tenant residential property taxes will bear the greatest burden, causing predictable impacts. You attract this murky mess by extracting school property taxes with Bill 34; you can't avoid it.

What to do:

Let's recognize that we cannot solve our overspending problems by mere across-the-board cutbacks. It was a mistake to omit education governance from the Golden commission, because it created a situation where the Ministry of Education, under the Sweeney commission and now Bill 34, purports to raise property taxes without regard to the need for interministerial, non-siloed and

provincially led, regionally considered leadership. The province must act on property tax reform in all its implications that were before the Golden commission, and that part of Bill 34 which deals with the property tax payment ought not to be legislated at this time.

The most important recommendation of the GTA task force to ease our region out of the current fiscal crisis is regionally coordinated land use development within the existing urban boundaries and concentrated growth points, for savings of \$55 billion over the next 25 years. With figures like that, why are we taking \$1.2 billion, or even this \$400 million, out of education? Without arresting trends to urban sprawl and excessive waste of resources, the temptation to take money out of education seems to be too great for governments to resist.

Good services and public education make a region great and attractive to a far greater extent than do excesses of roads and sewers. The lack of coordination of school capital development in the region and the role of schools in fuelling low-density urban sprawl is part of the problem. Why do we continue to build new schools at the urban fringe on 10-acre sites where most students have to be bused, when three- to four-acre school yards in medium-density urban areas are more than adequate? Children can walk to school. Integrated school facilities with community recreation and public libraries, not separate, low-density facilities for each, ought to be developed.

The good-quality educational standards we have in Toronto were developed in the protection of our non-residential tax base. The province may know little of what our programs are and how we assess student need since these programs were all developed locally. Inner-city programs include higher staff allocations for designated inner-city schools, early childhood education starters, books for supplementary take-home reading, special projects like the Parkdale 2000 music program, secondary school tutoring, targeted student support for alienated youth to return to school. The Golden commission and the GTA panel recognized the importance of maintaining good-quality education in the core city.

1720

We are losing our non-residential tax base with or without good provincial leadership. The province ought to take a serious look at the student equity approach. The Metro board has developed systems for measuring student need and developing appropriate programs and should be extensively consulted.

By whatever tax reform takes place, Toronto will still raise a lot of taxes, whether in sales tax, GST, income or property taxes. We conserve resources in land costs and infrastructure. We attract higher costs because of human needs, particularly in welfare and education. A province-wide system of funding needs ought to be developed. But do not use the tax system, which creates most local burdens, without permitting local benefit; that is, the school property tax system. The province ought to take a serious look at New Jersey's Quality Education Act, which as I understand it takes local property tax assessment into account in determining eligibility for state subsidies, but also regards student income, which you can take to mean some form of family-based income.

Cooperative service delivery is a good idea, but the recommendations of Bill 34 do not go far enough. If education spending must be reduced, surely we must start looking at ways of integrating public, Catholic and French boards of education. A recent survey indicated strong citizen support — 71% — for integrated boards. To increase funding for Catholic and French schools at a time when funding for all education is being downsized is not wise. France, one of the most Catholic countries in the world, has long favoured public education. The government was told by the Toronto Teachers' Federation in the fall of 1995 apparently that \$300 million a year could be saved in administrative costs with integrated boards. The province ought to take leadership in achieving non-sectarian boards that accommodate all interests.

We would like to see the province, including citizens and the government, engaged in examining what is essential for a good quality educational system. Yesterday you heard Kathleen Wynne and Peter Clutterbuck talk about the essential school project. We invite the province to take leadership in setting the direction for essential schooling. The state of Tennessee recently adopted a wide-scale program of introducing \$300 million across the state into schools to bring the pupil-teacher ratio down to an unbelievable 14 or 15, because the results for learning, even a decade later, are so dramatic — a full 10% differential for those students who had lower pupil-teacher ratios. Special education could be revised with lower pupil-teacher education resources.

We want to see a good quality educational system in all of Ontario, but one that does not find a new way to drain more dollars out of Toronto.

**Mr O'Toole:** I'll share this with my peers here. First, I commend you for your report and dedication as volunteers and parents. I gather you favour parent advisory councils, the process of involving the parents legitimately in the school educating process?

**Ms Murthy:** We support it, but it implies a lot of investment. If the establishment of that council would mean that trustees are reduced or that the proportion of representation per capita is reduced, then there has to be some investment in —

**Mr O'Toole:** That leads me to another question. You've read the Sweeney report. You've looked at education finance reform. Do you realize what education finance reform is, that it's changing how it's funded? Do you see there would be a usefulness for boards if it was funded from the province, if the money all came from the province, and the policies and the programs? What exactly would they be doing? Parent councils would be very important.

**Ms Bushby:** Yes. First of all, parent councils are a fine idea. We have them in many parts of Toronto now, and they were designed by looking at a lot of what we do in our wards at present. They're aren't throughout the city; they should be.

**Mr O'Toole:** They're mandated for 1997.

**Ms Bushby:** Yes. There are a few additions that come with the provincially mandated form and we welcome them; a community representative, for one. I personally think it's dangerous at this point for us to lose our trustees, because we are going through such an incredible

period of reform that this is virtually a full-time job. I happen to be up on the issues because I've just finished a master's thesis on the topic, but a lot of people are not so up. When we get to a more stable system, then we can talk again about whether or not we need trustees. But for the interim you won't get this commitment from the average volunteer.

**Mr O'Toole:** If there are other questions on this side, I'd be pleased to share —

**Mr Young:** I'd like to comment. That raised my interest, what you said there. All of our universities, colleges and hospitals in Ontario are run by volunteers. Many people have asked, "Why can't our schools run in the same way?" There's a lot of talent out there and people who will contribute for the sake of making a contribution. Don't you think that makes sense?

**Ms Bushby:** Volunteers in what capacity? To be on the board of directors of the Toronto General Hospital — there are a lot of benefits that flow with that. There are not so many benefits that flow with being active in your ward council. I personally find a lot of them because I love doing it, but you require a lot of change to get to that kind of system. People vie to be on the board of directors of major hospitals and then they run for political office.

**Mrs Munro:** Are you in favour of boards seeking opportunities to work coterminously with other boards for cost savings?

**Ms Bushby:** Most definitely, yes. My comments were directed at more of that.

**Mr Patten:** First of all, I had a chance to visit Howard school one time. It was a fascinating evening and a good debate. The community is one of the most active I have seen around in terms of your schools. I commend you for that. I would like to ask you about the class size. You refer to studies. As we've looked at it, some of us agree. Especially that Tennessee model was quite dramatic in terms of a very bold jurisdiction saying, "If we want to minimize the costs by virtue of crime or corrections, this sort of thing, it's education you have to increase investment in." You're talking about 38 kids right now in — what grade was that? In Brown school, was it?

**Ms Bushby:** Grade 4 at Brown school.

**Mr Patten:** That's now. What do you suspect is going to happen, given that the government will find some way of extracting the equalization payments?

**Ms Bushby:** I don't know the impact of a \$30-million cut, but with pooling across the GTA under the Golden commission, if the distribution method had been equal dollars per student, in Toronto we would have lost \$47 million annually from the budget, which would probably have put class sizes up around 50 to bear the initial brunt of the impact. If the model of pooling non-residential taxes across Ontario under the Sweeney recommendation were to be formed, I've heard estimates as high as — again, this is the city of Toronto board — \$175 million lost annually. That's a Metro board estimate. The ridiculous amounts are unimaginable, that kind of impact. Clearly it can't happen at present.

I'm worried about incrementally moving that way. I'm mindful that the present system we have of basing the



educational grant on property taxes was given a huge boost in the late 1960s, early 1970s. That was introduced by Treasurer MacNaughton, under Darcy McKeough's and Roberts's direction, as part of a fiscal framework for the future, and the Toronto-centred region plan was a huge component of it. That would have controlled urban sprawl and reduced those costs we've incurred that Pamela Blais now says in her Golden commission report are costing \$55 billion over the next 25 years.

**Mr Martin:** You talk a fair amount in your brief and the comments you made about the issue of taxes and how that has an impact on our ability to deliver education, the cost of education. You talk about equity and your concern that none of the taxes collected by way of the property tax system get shifted out of Toronto to other parts of the province. I represent a part of the province that doesn't have the same density of industrial tax base that you have here and certainly would have some conversation with you about that that would be interesting, I'm sure.

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But the question I want to ask you is something that you didn't touch on, the issue of the new wrinkle that's been thrown into this whole package, the tax break, and what you think of the tax break now and the ability of school boards to deliver education.

**Ms Bushby:** John Spears in the Toronto Star had a really good analysis of that. It seems that if we weren't committed to a 30% break in income tax, we could possibly refinance schooling through the income tax system, which would drop property taxes considerably. That requires some political will that I wish were there, perhaps could be there still in a reformulation. I think we have to seriously take a look at that.

The reason I mention New Jersey is they do a compromise. They take property taxes, presumably for base amounts — and then the Quality Education Act, that's purposely intended to redirect inner-city need money at inner-city schools of Newark and whatever the other major cities are in New Jersey. And it works; it's been around for some years. Does that answer your question?

**Mr Martin:** I'm not sure where you're getting your information on New Jersey and Newark.

**Ms Bushby:** From the impact assessment of New Jersey. It's an impact assessment of a regional land use plan and the education finance was caught up with it.

**Mr Martin:** Certainly that's not the information I'm getting, and I would disagree with you on your assessment of what's happening in inner-city —

**Ms Bushby:** My information is from 1992, so you may be more current.

**Mr Martin:** Yes, it is actually more current and it's actually happening as we speak. The inner-cities of New Jersey and Newark in particular are finding it more and more difficult to provide even the basics of education to their children because of the tax —

**Ms Bushby:** There might have been a reformulation of this formula that I studied in 1992.

**The Vice-Chair:** Thank you very much to both of you for your presentation. Thank you for joining us this evening.

## ONTARIO TAXPAYERS FEDERATION

**The Vice-Chair:** The next and final presentation for today is by the Ontario Taxpayers Federation, Paul Pagnuelo, if you could come forward, please. Welcome to our meeting, sir.

**Mr Paul Pagnuelo:** First of all, I'd like to take the opportunity to thank all of you for the opportunity tonight to comment on Bill 34.

Listening these days to the shrill rhetoric of the various special-interest lobbies that are decrying the reductions in provincial transfer payments to Ontario school boards, the message seems to be coming across that there's some sort of covert, monstrous plot by the government to destroy Ontario's education system.

Despite one's political ideology, I find it very difficult to believe that any government in this country, regardless of political stripe, would deliberately set out to lay waste the future prosperity of a democratic and civilized society by de-educating tomorrow's workforce.

To suggest that cutting even one penny out of a \$14-billion education budget will result in lower standards and that it will hurt the quality of academic training our children will receive is not only ludicrous, it's irresponsible.

Our advice to Ontarians is really to ignore the radio and TV ads they're hearing and seeing, the petitions that are being circulated by parent-teacher associations and the letters from elementary and secondary principals which are coming home in the school bags of our children warning of imminent disaster in the education system because of spending cuts that are being made. I think we need to look at these warnings for what they really are, and that's nothing more than desperate, passionate pleas from powerful spending coalitions whose sole objective is to maintain the status quo and to defend their place at the public trough.

In plain language, the cost of Ontario's education system has grown to unsustainable levels. Confirming our own findings, the Sweeney report says that taxpayers made it clear, particularly during municipal and provincial election campaigns, that they cannot bear, will not tolerate, tax increases.

In fact, what taxpayers — and remembering many of us taxpayers are also parents with children in the system — are looking for is tax relief. It is indeed ironic, in our view, that an education system which is supposed to be preparing our children to become productive members of society can't teach itself how to be efficient, affordable and how to improve the quality of its service delivery and outcomes.

The problem currently facing our provincial school boards is not a revenue shortfall but one of overspending.

I'm going to digress a moment from the prepared text. If we take a look around us at other levels of government, provincial, federal, if we look at what's going on in private business, everyone is finding ways of achieving economies of scale, doing more with less. For the suggestion to be made that school boards are somehow exempt from all of this, that they're cut to the bone in terms of efficiency, simply defies logic.

We think that existing school board budgets provide limited discretionary opportunities for cost cutting in non-

employee expense areas, and when we see them trying to get into those areas what normally gets cut are things like classroom supplies and computers. That's not to say there's no opportunity for substantive savings in administration, but in terms of the total overall \$14-billion budget, the amount is not all that significant. As a consequence, I think we need to seriously look at salaries and benefits in both the instructional and non-teaching areas, and they have to be considered as realistic opportunities for system-wide cost reductions.

Bill 34, we think, is a modest — and I stress “modest” — beginning to a vast array of reforms which are needed in Ontario's education system. That is not to say we agree in total with the amendments proposed in the bill, because we don't. In some cases we don't think they go far enough. In others the proposals amount to little more than tinkering at the edges, while avoiding the politically difficult structural changes which ultimately must be made.

In addressing each of the five areas in which the bill is organized, some of our comments will be brief. Much of our time we'd like to spend in dealing with the amendments affecting sick leave.

First of all, in dealing with adult education, if our amendments in sections 3 and 4 of the bill are correct, if our reading is correct, the objective appears to be to end access by adult pupils to a costly and inefficient system and to redirect them to a continuing education program which should provide far better value for money without denying the adult pupil the right to take a credit course. In these circumstances, we agree with the amendment.

In terms of cooperative agreements, the federation wholeheartedly supports all initiatives which seek to encourage lower cost and quality results at all levels of government by the sharing of human, physical and financial resources. However, we believe the legislative changes should go further by also encouraging cooperation and partnership ventures with private sector organizations.

In order to measure the relative success or failure by boards that will be required to publicly report on their efforts annually, we would suggest that the province, by way of regulation, clearly stipulate those matters on which the boards are expected to seek cooperative agreements.

Equalization payments: We believe that one of the primary objectives of reduced provincial transfer payments is to force local boards to do more with less. The government has been quite clear that it fully expects the boards to meet these reductions by cutting costs outside the classroom and without increasing the property tax burden. Unfortunately, that's not what we're seeing happen in reality in many cases.

In effect, the province, by reducing the size of the cheques it writes to the boards, can achieve what municipal taxpayers have been trying to accomplish for years with little or no success. While this initiative is long overdue, the benefits of these forced reductions will fall exclusively to the provincial treasury and, by extension, to all Ontario taxpayers. However, if through reduced transfer payments boards are forced to maximize their efficiency, then we must ask what opportunities remain

for local taxpayers who are also looking for some relief on their local property tax bills.

We think a fair and more equitable way of approaching cost reductions would have been to impose a moratorium on any property tax increases, with a cost reduction target expressed in percentage terms, with the savings shared equally through both lower provincial transfers and lower education property taxes.

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As a matter of principle, we disagree that assessment-rich boards should be obligated to subsidize assessment-poor boards using the property tax system. The Bill 34 proposal, as we read it, enables boards not subsidized by the provincial government to make equalization payments to the province so that the impact of grant reductions is shared by all, but in our mind, this simply avoids the more difficult issue of having to deal with fundamental education financing reform. We don't think this is a solution that should be pursued.

Junior kindergarten: Our federation has always strongly objected to JK being a mandatory requirement for boards. While we applaud the decision to once again make it optional, we would like to see the bill strengthened in several respects:

First, we believe that if a board decides to offer JK, all associated costs should be accounted for separately and not included as part of the elementary panel.

Second, all optional services provided by a board should be funded exclusively from local property taxes, thus ensuring the local board is held fully accountable for its management of optional programs.

Third, the decision to approve or reject optional programs should be made by municipal taxpayers through a binding referendum conducted in conjunction with municipal elections. The decision for optional programs should not be allowed to rest with the board, which can easily be swayed by those lobbying for programs which are going to be paid for by somebody else.

Sick leave: This is a concern which we raised through correspondence with the Minister of Education last September and specifically dealing with the matter of retirement gratuities and the huge unfunded liability which exists, and something which the Sweeney report specifically mentioned.

The sick leave benefit forms the basis for the retirement gratuity, and the Education Act provides in part: “A board by resolution, may establish a system of sick leave gratuities for employees or any class thereof...”

The act also provides that no employee can receive more remuneration than that equalling the amount earned if 50% of cumulative sick leave credits were cashed in for payment; no full-time employee can receive more than an amount greater than 50% of the final year's remuneration; and when an employee, pursuant to a collective agreement or board policy, is on part-time status immediately prior to termination of employment, the amount cannot exceed 50% of the full-time annual rate of earnings received during the last calendar year or school year.

The sick leave gratuity may also be paid to a departing teacher along with other benefits that may be granted by the board with which he or she is employed. This could



include retirement incentive plans, severance or other individual payment schemes for which the teacher may qualify.

Retirement gratuities may also be paid to other members of school board staff who work in non-teaching occupations. Because a number of different unions represent these employees, we were unable to address the frequency of the sick leave benefit for other employee classes, but we understand there has been some considerable success in bargaining out this benefit in the non-teaching areas of Ontario's school boards.

There is a variety of methods employed to arrive at a teacher's final sick leave gratuity payment, and there is a wide variety of plans and formulas that exist across the province, with some boards offering more and others offering less than the average. They can be broken down into three broad classes: full benefit, limited benefit and no benefit. We won't get into the details of those tonight.

Last year, we conducted an analysis using 1993 data, which I recognize is quite stale now, but in orders of magnitude, I think what we would find if we looked at the current numbers is that the total unfunded liability probably sits somewhere around \$1 billion or so today, and going back and looking at the 1993 data, we found that just over 8% of that total liability was in fact reserved, which places a huge unfunded liability on taxpayers.

I think this issue starts to provide some further insight into some of the reasons behind the high cost of Ontario's publicly funded education system and the extravagant tax burden which it is placing on taxpayers. Virtually no one in the private sector today has a benefit that pays people twice for some days they work during their career and that's given to employees at retirement. Many of those plans that existed years ago have now been phased out and moved over to short-term and long-term disability plans.

One of the things we found that needs to be looked at in the studies and analyses we conducted was that there seemed to exist a number of discrepancies between both the audited and reported data by the boards of what their unfunded liability was. We found situations where in terms of the schedule 18s, which are the reports provided to the ministry, there were no unfunded liabilities shown, or no liabilities shown. Then you take a look at the audited reports and they tell you a different number, a different situation. We also found that there didn't seem to be any consistency in how boards report these numbers, when they actually begin the clock starting in calculating what those accrued liabilities are.

We felt, looking at all of those data, that the strong possibility exists that the number that is being reported, both in terms of schedule 18s and the audited financial statements, may be very substantially understated. What might be a \$1-billion total liability could in fact be many times higher than that. We think there's a need for the Provincial Auditor to become involved and to look at standardizing how these liabilities should be reported.

It would be interesting if we could go back in time over a 10-year period and see what's actually happened with the reserve portion. Has it declined over the years, has it remained stable or has it actually increased? We

think one of the ways the boards have tried to accommodate the wishes of local municipal taxpayers in the last five, six years to bring in low or zero tax increases is to simply not put any money in the reserve funds. I think that's foolish, because what it's doing is deferring taxes to some point in the future. It's not being honest with local ratepayers in terms of what the true cost is of running the system.

We believe the Ontario government is the only one in a position to clean up this province-wide mess and bring some reasonableness back to the system. There are several specific amendments we would like to see to Bill 34 in respect to the sick leave provisions.

First of all, we believe the bill should terminate it completely — prohibit the retirement gratuity and not leave it as something that can be continued in collective agreements.

Due to the severity of the unfunded liability, if we look at the fact that possibly only about 8% or 9% of it is funded today or reserved today and that there's a huge unfunded liability, the reality is that there is absolutely no way taxpayers are going to be able to make up that difference without a huge tax increase. The fact is that there are a number of people in both the teaching and non-teaching ranks who are going to be retiring in the next five to seven years. We're going to find all of that cost coming down in the very near future. The reality is that we've got a situation that's been allowed to get out of control and there's no money there to pay for it.

Our suggestion is that what we have to do is pool those funds, cap it in terms of what the payout's going to be, limit it to what exists today in the reserve fund. We would say the payout shouldn't exceed 5% of total liability and the remainder should be plowed back into the schools in some of the equipment and supplies that are needed.

We think also that only those eligible personnel with a minimum of 10 years' service should be eligible for any payout under the phase-out plan.

Lastly, the existing sick leave program which exists today has to be replaced with a modern, up-to-date insurance plan which provides both short-term and long-term disability, with employees paying all or part of the premium cost, just as they do in many other industries.

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In conclusion, Bill 34 is a small, first step in the right direction. It certainly needs amendments, particularly in the area specific to the situation of Toronto and the matter of equalization payments. We'd also like to see substantial changes in the section dealing with the sick leave benefit, because our concern is that we've got a ticking time bomb out there in that unfunded liability.

Thanks for listening to us this evening. We hope our remarks will help in the deliberations.

**Mr Patten:** Thank you for your presentation. You have some good ideas and some suggestions. In the case, for example, of Toronto, the equalization payment side of things, were you suggesting that one way that could be dealt with is that these boards be required to directly reduce, make an equalization payment back to their own taxpayers?

**Mr Pagnuelo:** In terms of the specific example, Toronto, I think it's wrong to expect property owners in

one municipality to subsidize property owners elsewhere through the property tax system. If we look at education, we believe there needs to be equal funding throughout the province. The problem is that the way we've got the funding system arranged today, part of it comes from local property taxes, part of it comes from the province. It's a real mishmash.

If we look at the importance of education, stable funding and ensuring there is equity throughout the province, there are some boards where, if you take a look at what they receive in funding versus what they have to derive from local revenues, there are situations where you've got assessment-rich boards and assessment-poor boards, and the quality of education can be affected by how much they can possibly raise in local taxes to offset whatever amount they get from the province.

We need to look at education in Ontario being funded wholly by the province, on a per-student allocation basis, with proper allowance for both regional and demographic differences, including possible differences across the province. The way the system is organized today is just a mishmash. If the province is serious in trying to straighten out the overlap of responsibilities between municipalities and the provincial government, there can be very significant tradeoffs of provincial responsibilities today going back to municipalities and municipal school responsibilities coming back to the province in funding.

That's not to say there would necessarily be any lower burden in overall property taxes, but we think funding specific to education should be a provincial responsibility. You could look at your local municipal property tax bill possibly being responsible for funding optional programs a board may wish to offer, if local taxpayers were in agreement with that. There's also a possibility to look at perhaps whether just the operating costs of education should be funded by the province, with perhaps capital expenses for buildings financed locally through the property tax system. That might bring some better fairness to the system overall.

**Mr Martin:** Thank you for your presentation; I found it interesting. There is a piece in here, on page 2, where you say, "In fact what taxpayers — remembering many of us also are parents — are looking for is tax relief." Certainly all of us are taxpayers —

**Mr Pagnuelo:** Not just tax relief, but I think what —

**Mr Martin:** If I might, that's not the question. Okay? *Interjection.*

**Mr Martin:** Yes, I have to make my speech first.

We're all taxpayers, including some of those folks who are identified out there as special-interest groups. We are looking for other things besides tax relief. We're looking for good education for our children —

**Mr Pagnuelo:** Absolutely.

**Mr Martin:** — I have four — we're looking for a good health care system and we're looking for good infrastructure, because that's what investment is looking for when it comes to an area. People have done some very complicated and interesting studies to show that, for example, an investment in junior kindergarten pays dividends down the road. Have you done any such investigation yourselves to determine where the balance is there re cutting taxes and actually having those things remain and stay viable and effective into the future?

**Mr Pagnuelo:** First of all, I think we need to make a clear distinction between junior kindergarten and senior kindergarten. We think senior kindergarten, as it's currently constituted, does provide extreme benefit in preparing children as they come into the elementary school system and getting them ready for their first year. But the feedback we've gotten from parents who are close to the system is that junior kindergarten, when you look at it, is nothing more than a universal day care system funded by all taxpayers and doesn't provide any true long-term benefit in reducing some of the problems that have been spoken to earlier. Junior kindergarten is —

**Mr Martin:** Do you have any detailed study by anybody in the field to support that position?

**Mr Pagnuelo:** No. We like to rely in that particular case on the feedback we get from parents. That's not to dispute that junior kindergarten may be a laudable thing, but how far do you go? We have to make very clear distinctions between things that are nice to have and that we need to have. Unfortunately, junior kindergarten is on the wish list of things we'd all like to have, but is it truly affordable? We have to look at it.

One of things that's happened too is, look at the number of portables that exist in the system today. The more we expand things like junior kindergarten, it's crowding children out of regular classrooms and into portables. When we can't even provide the infrastructure for children in the basic elementary and secondary panels, we shouldn't be expanding the system to further levels.

**Mr Toni Skarica (Wentworth North):** It's disturbing when you hear about unfunded liability of almost \$1 billion for sick leave gratuities, and we've heard recently there's an \$8.2-billion unfunded liability for the teachers' pension. How did this happen? I'm looking at pages and pages of superintendents and managers making \$100,000 a year and trustees making substantial money. How did we get here?

**Mr Pagnuelo:** I think it happened over a long period of time and I would blame many taxpayers for simply not being alert and taking the time to find out what was going on. It was only in the last year and a half or so that it became common public knowledge that this thing existed out there called the retirement gratuity. I can remember attending many school board meetings at budget time where they'd always ask, "What are we putting aside in reserves this year for the retirement benefit?" I never quite understood what that retirement benefit was and they never went into any deep discussion of it. Now we know what it really was.

When you take a look at a director of education who might be earning \$140,000 a year and is entitled at retirement to collect a one-time cash payout of \$70,000 in the form of retirement gratuity and the same day start collecting his or her pension, there is something really wrong with the system. These are the same people who are telling us that cuts are going to hurt the quality of education, cuts are going to hurt our children, but they're quite prepared to take home very generous cash payouts and not give those up.

**Mr Skarica:** Anybody else? I've got one more if I've got time. There are something like 150 school boards throughout the province. Did any school board, to your



knowledge, set aside money for these unfunded liabilities?

**Mr Pagnuelo:** There are some that have reserved. There are a few, from my recollection of the list, that were fully funded, but they were by far the exception. The problem we had was, when did they actually start the clock? Did they only start the clock ticking in counting the liability five or 10 years before an employee is ready to retire? There is no consistency. Technically, they should start it the day that employee starts working, as they're accruing those credits. We don't think that's happening. We think, talking even of \$1 billion, that can be very substantially understated.

**Mr O'Toole:** Just a quick one: I heard you say that you believed in equity and fairness across the province for education.

**Mr Pagnuelo:** Absolutely.

**Mr O'Toole:** With that in mind, you're familiar, I'm sure, with the education finance reform that's looking at possible other methodologies for funding education. Do you support taking it off the property tax base?

**Mr Pagnuelo:** We do, but there is not strong consensus for it. From all the discussions and meetings I've had with various ratepayer groups and individual ratepayers, and even discussions with our own supporters, I'd have to say it's about 50-50. The main concern we find people

have with taking it off the property tax system — and I think this is where there are some fine distinctions that need to be made — is that they feel that means automatically the province becomes the negotiator for all contracts across the province, that the boards give up that ability they have today.

The concern with that is that if you move to province-wide bargaining, that's going to push up costs and not bring them down in any respect. The fear people have in saying, "Let's take it off property taxes and move it to the province," is that at the same time, if that were to happen, they feel contract costs could go up very significantly.

**Mr O'Toole:** There are studies that support that, but there are some other —

**Mr Pagnuelo:** I think there's a distinction that needs to be made between how you fund education and how contract negotiations take place. Essentially, the boards would get an envelope of money based on the number of pupils, and how they manage that money would be within their discretion.

**The Vice-Chair:** Thank you very much, sir, for your presentation.

We're adjourned until we meet in Windsor, 9 o'clock on the day after Victoria Day. There's a subcommittee meeting tomorrow morning. We're adjourned.

*The committee adjourned at 1802.*

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### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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\*Smith, Bruce (Middlesex PC)

Wildman, Bud (Algoma ND)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

O'Toole, John (Durham East / -Est PC) for Mr Pettit

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

**Also taking part / Autre participants et participantes:**

Young, Terence (Halton Centre / -Centre PC)

Martin, Tony (Sault Ste Marie ND)

**Clerk / Greffière:** Lynn Mellor

**Staff / Personnel:** Ted Glenn, research officer, Legislative Research Service



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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 21 May 1996

# Journal des débats (Hansard)

Mardi 21 mai 1996

## Standing committee on social development

## Comité permanent des affaires sociales

Education Amendment Act, 1996

Loi de 1996 modifiant la Loi  
sur l'éducation



Chair: Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Tuesday 21 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mardi 21 mai 1996

*The committee met at 0858 in the Ramada Inn, Windsor.*

## EDUCATION AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Consideration of Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

**The Vice-Chair (Mr John Gerretsen):** I'd like to get the committee started and welcome everyone here to the standing committee on social development and its public hearings into Bill 34. We've set aside half an hour for each delegation, which will include the presentation and any questions and comments or answers there may be from the three caucuses. On my right is the government caucus and on the left are the opposition caucus and the third-party caucus. My name is John Gerretsen and I'm the member for Kingston and The Islands.

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KENT COUNTY ROMAN  
CATHOLIC SEPARATE SCHOOL BOARD

**The Vice-Chair:** I'd like to call forward, please, Wayne Houston, director of education at the Kent County Board of Education, and Sandy Easton, director of education at the Kent County Roman Catholic Separate School Board. Good morning, gentlemen. If you'd like to start your presentation, whatever time is left is shared among the three caucuses equally for any questions and comments. Please identify yourselves for Hansard's purposes.

**Mr Sandy Easton:** My name is Alexander or Sandy Easton. I'm director of education for the Kent County Roman Catholic Separate School Board, and my colleague is Wayne Houston, from the Kent County Board of Education.

On behalf of both of our boards, we would like to thank the committee for the opportunity to make this presentation to you this morning. It's important to us especially, that organizations such as ours be allowed this opportunity. We were pleased to be invited to make this presentation collaboratively, since really that is a reflection of how the two school boards in Kent county have worked for many years and continue to do.

With your permission, we would like to make our presentation in somewhat of a point form, as we feel it's probably more easily understood and will allow for more specific questions if required. If any further information is required from our two school boards, both of us would

be pleased to provide that within any format the committee wishes.

Therefore, in the spirit of many years of cooperation, it is with pleasure that together Wayne and I will present the following information to the committee.

First of all, with regard to junior kindergarten as an optional program, let me state very clearly that both school boards feel very strongly that the junior kindergarten program is a very fine educational program and needs to be maintained for our students. I might also add that in this year's budgets, in spite of the funding cutbacks etc, both boards made the decision to continue JK for at least another year, and hopefully for many years to come.

We feel this program is especially important for those students who come from lower socioeconomic backgrounds, broken families, single-parent families etc, as well as others, for in many cases the JK program in their home school is the most stable environment that they have during each day.

The cuts in funding to the JK program made it much more difficult for both of our boards to continue to offer the program, but as I mentioned, we've decided to do that.

We would certainly encourage the Ministry of Education, though, to stop basing programs on conditional grants. In other words, let us, as a community in Kent county, decide whether or not we wish to provide a JK program and other programs based on the needs of our own community; at the same time, however, through a much more fair funding model, make sure that the funding is available for us to make that decision.

We believe that a professionally certified teacher is still the most important and best way to deliver the junior kindergarten program. However, these costs could be offset with the addition of certified alternative types of staff who would work under the supervision of the classroom teacher. This more flexible organization would allow the program to be delivered effectively at a much reduced cost.

Research clearly shows that if our children are given basic skills at a very early age, the benefits to our society will continue to be felt throughout childhood right to adulthood. The earlier we help these children, the better our society will be in the long run. Junior kindergarten is not a babysitting or day care program but rather a very specific educational program which results in students being much better prepared for more regular grades and programs in the future.

**Mr Wayne Houston:** With regard to adult day school programs, the cut in funding for adult day school programs has forced boards to send these adults unilaterally towards night school or continuing education programs.

Most adult education programs are provided by the public school system in Kent county, and therefore the cuts in this area have hurt us more than the separate school system.

The cuts in this area limit the availability of education to all members of our society. Further, these programs are vital during tough economic times when many laid-off workers are returning to school to update their skills.

Perhaps a resolution can be found somewhere in new regulations that would allow these programs to function in the day school but at a reduced cost from the normal collective agreements of the regular day school program.

Although our two Kent school boards do not compete against each other for these adult students, it seems to us there may be duplication of these kinds of programs across the province, i.e. the same programs being offered by both boards in the county. If the regulations and the grants were provided in such a way as to force collaboration and cooperation, the programs could still be provided, but at the same time not duplicated, thereby reducing costs. The Ministry of Education could be the agent through the regional offices to coordinate and facilitate this kind of cooperation.

**Mr Easton:** With regard to school board cooperation with other agencies, I don't need to tell this committee, if you have done your homework and I'm sure you have, that Kent county has been and continues to be held up in the eyes of the province as an example of the kind of cooperation and collaboration that public agencies such as school boards, municipalities, hospitals and post-secondary school institutions should be emulating throughout the province.

The Kent Area Administrators Group, better known as KAAG, has been in existence since 1982, but did not get started because of any mandated legislation. Instead it was accomplished through the trust and goodwill of the chief executive officers of these agencies with support from their boards and councils.

The recent cuts in education particularly have forced other boards to begin this cooperation. Unfortunately, because of the way education is funded in this province, boards such as ours in Kent county have not been rewarded for the cooperative accomplishments already achieved. Transportation grants are a very good example of this.

Having said that, I should add, however, and I know Jack Carroll wants me to remind you of this, we do feel in terms of the grant cuts that some consideration was given for assessment-poor boards such as ours, and we do appreciate that. I will be speaking a little bit more about that later on.

We in Kent county have always believed that you cannot mandate goodwill and cooperation. However, if the funding model provided incentives for this, we are sure that many other boards and public agencies across the province would take advantage and begin doing what the KAAG group has been doing for many years. But let me also add that does not mean we will compromise or are suggesting for one iota of instance here that we would compromise the integrity of Catholic education in this province or in our board or the respect that the Kent County of Board of Education has for us and we for them. Being all one does not make it right.

There is no doubt in our minds that we must continue to develop partnerships. The corporate community is now beginning to realize the value of partnerships with school boards and other public agencies. The ministry needs to provide legislation and direction to encourage more of these partnerships, while at the same time protecting the integrity of the mission of school boards.

**Mr Houston:** With regard to teacher sick days, the provision of Bill 34 intends to amend the Education Act to remove references to sick day entitlements, beginning in September 1998. It is unclear why it is necessary to delay this for two years. It's important to note that in both Kent school boards, our teachers do not abuse the sick leave provisions, and we suspect this is the case across the province. The greater question and liability is the issue of retirement gratuities, which is an unfunded liability most if not all school boards are required to deal with.

In our opinion, the best way to deal with this liability problem is through local negotiations, recognizing that each school board within each county experiences different circumstances regarding retirement gratuities. Although we recognize a resolution to this problem must be found, a provincial resolution is not the best method but may be the only way to overcome the opposition that individual boards will face from provincial teacher federations.

**Mr Easton:** Regarding the negative-grant boards and equalization payments issue, this government — your government, sir — has stated very clearly on more than one occasion, through the Premier himself, through the Minister of Finance, beginning with the November economic statement and even recently with regard to the budget, and the Ministry of Education and Training in terms of our organizations and presentations to them, that the funding model for education in this province is inherently unfair and must be remedied. The Sweeney report, the Royal Commission on Learning report, the Golden report and the soon-to-be-released education finance reform report all clearly point out the need for this reform. The division of opinion centres not on this concept but on how this is to be accomplished.

Both Kent school boards encourage this committee and this government to go forward with education finance reform as soon as possible, and no later than 1998, and to bring forward a sense of fairness and equality to all publicly funded school boards in this province.

I just want to add one other point. This debate has been going on in Ontario for years. It seems, however, that finally this government is ready and prepared to do something about it. We firmly, firmly encourage you to continue on that goal and that road. Education funding must be fixed.

**Mr Houston:** Some last points.

Department heads: The amendment of regulations 285 and 298, which focus on department heads and their duties, is helpful but difficult to negotiate. In order for school boards to go forward with the new Common Curriculum and an organization that can effectively implement such a curriculum, the regulations for department heads need to be specifically legislated as opposed to trying to modify regulations that may or may not result in new collective agreements on this issue.



School year calendar: The regulations regarding school year calendars need to be adjusted in order to distinguish between the school day and the instructional day. This would allow boards to cooperatively negotiate the issue of prep time with their teacher employees. Otherwise, the teacher federations will continue to take a very strong stand against any encroachment upon preparation time. It is our feeling that this issue can only be addressed at the local level through collective negotiations, provided that this provision regarding the school day and the instructional day is regulated from the ministry.

0910

Long-term financial grant regulations: For many years the grants provided to school boards and municipalities and other public agencies have traditionally been announced on a year-to-year basis. This makes planning and implementation of programs extremely difficult from one year to the next. Consider the fact that we get our grant information near the end of April and our budget year starts in January. We're four tenths of the year through before we know what our revenue is. We would like to encourage the government to provide specific grant announcements for three years at a time. This would allow for greater planning and implementation of programs for all school boards across the province.

Program-conditional grants: For many years the Ministry of Education has forced boards to provide certain programs simply by controlling the grants and financing for these programs. We feel this is wrong. Firstly, we reiterate our need for a fair funding model. We also encourage the Minister of Education to set high standards of achievement for all students in schools across the province.

We further encourage the Ministry of Education to establish a core curriculum for elementary and secondary students. Beyond that, however, we ask the Ministry of Education to allow each school board to determine for itself what programs the school board will provide to its students, based on a fair funding model.

Further, we believe the school boards should be held accountable for those decisions by their local ratepayers. What may be a worthwhile program in Toronto does not necessarily mean it is also a good program in Chatham, Sudbury, Ottawa or Windsor. Diversity does not have to compromise quality or accountability.

In conclusion, we would like to thank the committee for the opportunity to make this presentation. We assure the members of the Legislature that as professional educators we are determined to work closely with them to ensure that the Ontario educational system, and particularly that of Kent county, remains a first-class organization.

**The Vice-Chair:** Thank you very much. We have 18 minutes left, so six minutes per caucus, and we start with the government caucus.

**Mr Jack Carroll (Chatham-Kent):** Mr Easton and Mr Houston, thank you very much. Welcome. Before I ask a couple of questions, I want to publicly compliment the two of you for continuing the cooperative efforts that go on in Kent county. I certainly have heard a lot about them in the last little while and was aware of them before. I compliment you on those. Obviously, some

other communities in the province will learn from what our experience is in Kent county.

The school year calendar: You talk about the provincial government making provisions to regulate the school day and the instructional day. Can you elaborate a little for me on exactly what you mean there?

**Mr Houston:** If you consider that prep time is part of the instructional day, you have to include all the students in all of that period of time, so you have to provide teachers for those students during that instructional period. If, however, the instructional day and the school day were different — in other words, the day for the students was different from the day for the teachers — you could have prep time outside the time the students are there. Therefore, you wouldn't have to have teachers cover for other teachers while they're having their prep time; they could all have their prep time together. You would thus save the cost of providing that prep time coverage totally, and the kids would not be deprived of having their teachers present during that period of time.

**Mr Carroll:** Are you suggesting that there should be a provincial regulation that sets out what the school day should be for the teachers and what the instructional day should be for the students?

**Mr Houston:** That it should allow that difference to occur.

**Mr Carroll:** Regarding junior kindergarten, on page 2 you state that "a professionally certified teacher is still the most important and best way to deliver the junior kindergarten program," but then you talk about "alternative types of staff who would work under the supervision of a classroom teacher." In the typical school, there would only be one junior kindergarten, if I'm not mistaken. How would you envision a program working where there would be a certified teacher and then alternative staff working under the supervision of that teacher when you only have one class? How would you see that working?

**Mr Easton:** One of the ways, Jack, is that if you look at junior kindergarten and kindergarten programs together, with the flexible staffing arrangement if we were allowed to do that through regulations and negotiations, it's possible that, for example, in a school such as St Ursula's in our city of Chatham, where they would have a full JK and a full kindergarten, there might be one teacher but there might also be one or two paraprofessionals underneath them. As a result, you save money on a teacher in every classroom versus having one teacher and a couple of other, lesser-paid people.

It's a concept that can be developed and that we feel we should have a flexibility for. Again, though, I want to reiterate that there should be a regularly certified teacher who's in charge of those paraprofessionals. I still believe the most important person in the classroom is the teacher. But with the programs and the curriculum we have being so activity-oriented and really dealing more with learning styles as opposed to a specific grade or level, that kind of arrangement could be very, very helpful and in the long term save some money.

**Mr Carroll:** Maybe I'm missing something here, but wouldn't you be adding another employee under that scenario you were just describing?

**Mr Easton:** Not necessarily. What I'm suggesting, depending on the circumstances — you would have to go from school to school. Some schools are so large they would have a number of classes of JK and K, and there are other schools in our system, very, very small, that have a combined JK and K. But within that overall primary area, if somehow we could arrange to have para-professionals supporting teacher staff, then maybe we could negotiate agreements with our teachers that would not hold us to a pupil-teacher ratio that was so rigid.

**Mr Carroll:** Do you see that happening in areas other than junior kindergarten, say the library services? Do you see the possibility of other than certified teachers being used in other areas of school?

**Mr Easton:** We're doing that now in our system. We have had library technicians in all of our schools, including secondary schools, for years. These people are very well trained, two- and three-year programs out of community colleges, whereas a teacher-librarian has a six-week course. I'd rather put the teacher in the classroom and have a library technician in the library.

On the other side of the coin, however, that again comes back to negotiations and how those things unfold in every school board. In Wayne's board, for example, that's a little different.

So we do have technicians, we do have paraprofessionals now. In our special services area for special-needs students, we use TAs and EAs. The EAs are particularly well-qualified people coming out of developmental service worker programs of the community college, and TAs are just fine, very good, caring people, many of whom have all kinds of qualifications. So we're already using these paraprofessionals now in our school system.

**Mr Houston:** If I might add a point, though, on this one, what has happened to education over a long number of years is that new programs are put in place, and because teachers happen to be handy, we assign the duties to teachers. It's not necessarily teaching, and what has gradually happened is the teachers have assumed all of these roles.

We would much rather see teachers teaching, and supervision and all of the other things that go along with running a school done by non-teaching personnel. We don't feel that teachers are being efficiently used if they're being used to supervise, to do clerical work, to do all of the things, but because they were handy, because they were there, they were assigned the duties; hence, I guess, why prep time came into being. Teachers were overloaded, they had no time, no time between classes and so on, and prep time came into existence. If we had given those jobs originally to someone other than teaching, because it really isn't teaching, we wouldn't have had this big problem we've got right now.

With regard to librarians, I've got to say that I think a librarian is a teacher and there's probably no more important place in a school for a teacher than as a teacher-librarian, because we're teaching kids right now how to do research and how to analyse information and so on, and that's the job of the teacher-librarian. A library technician is all right for filing books and stacking and doing the clerical work, but you need a teacher-librarian in there to run the programs, because kids come to the libraries for programs.

**The Vice-Chair:** We'll now go to the official opposition.

**Mr Dwight Duncan (Windsor-Walkerville):** Can you tell me how much, for each of your respective boards, your 1996 grant reduction is?

**Mr Easton:** For my board, we anticipated about \$1.5 million, and as I said earlier in my comments, we weren't pleased, but we were more relieved it was just a little shy of \$900,000.

**Mr Duncan:** And your board?

**Mr Houston:** The public school board, we were \$3.8 million less than 1995. That's about a 9% reduction in the provincial grant.

**Mr Duncan:** I notice in the public board that you've given layoff notices now to 34 elementary teachers as a result of the grant transfer. Is that figure correct?

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**Mr Houston:** You call them layoff notices; we call them surplus notifications. Whether they will be laid off is yet to be established.

**Mr Duncan:** You don't know yet, then. How about for 1997? What do you anticipate next year in terms of grant reduction?

**Mr Easton:** Our expectation at this point, not knowing anything in terms of what the details will be, a worst-case scenario is \$1 million.

**Mr Houston:** We would probably increase what we had as a loss this year by 25%.

**Mr Duncan:** The government has said repeatedly that you can find those savings in the upper administrators, like you guys, and non-classroom. Is it your view that you can save those costs through better management of your administration?

**Mr Easton:** First of all, "better management" is a big phrase, but let me talk about my board. There's no question in my board that we're overstaffed at senior administration. I say that because a couple of years ago the board made a decision to hire an extra superintendent when one was on leave, and the one who was on leave came back instead going to another board. So we've been overstaffed by one for some time. But in February 1997 two superintendents in our board will be retired and will not be replaced; however, the work they do will be shared among the remaining supervisory officers. So somebody else is going to pick up the slack.

**Mr Duncan:** So then these cuts are no problem for your board?

**Mr Easton:** These cuts are very big problems for our boards.

**Mr Duncan:** At the classroom level?

**Mr Easton:** In my opinion, everything affects the classroom level. The idea that it doesn't affect the classroom is a misnomer, because in our board, and I know Wayne will want to speak about this too, we've been a very efficiently run organization for years. Of course, with a funding model that is simply unfair, we've had to struggle for years at a less-per-pupil cost than most of the other school boards in the province, so we've been lean and mean. We don't have a whole cadre of people in central office and coordinators and consultants. We don't have any of those people.



**Mr Duncan:** So in your view these cuts do affect the classroom?

**Mr Easton:** They affect the classroom, and the new 1997 cuts coming, if they hold true, will absolutely affect the classroom.

**Mr Duncan:** How about mill rate increase? Have you had any projections this year?

**Mr Easton:** This year our mill rate went up 1.5%. I guess some people were happy about that in the sense that it wasn't worse; others were not happy about it at all. However, I'm not aware of any school board in this region that has come in without a tax increase of some sort.

**Mr Duncan:** Absolutely. Would you attribute the reason for that mill rate increase partially to the cuts in transfer?

**Mr Easton:** One of the reasons we would attribute it to is the decision we made to maintain junior kindergarten, for example, and some other programs. We just felt a reasonable tax increase would be accepted by our community, based on a lot of input from our parent community.

**Mr Richard Patten (Ottawa Centre):** Good morning, gentlemen. I'd like to follow up on the question of the increase of 1.5% in the mill rate. That must have been an interesting set of discussions with your parents. What were some of the tradeoffs you had to make to convince the parents that this increase was necessary?

**Mr Houston:** Part of our decrease was a decrease in staffing, 24 people. We cut budgets at every level. Anything we could shave, we did. Again, we were pleased that it was only 1.5%. The \$3.8 million that we had to cut, we were expecting a lot of that because of social contract cuts. Those were incorporated and so on, so with the social contract cuts that we were expecting and then the additional decrease in funding, we were fortunate to get away as well as we did. We didn't have to cut JK. We talked about that long and hard. The savings we would have created I don't think were worth cutting the program, for the good of the kids.

**Mr Patten:** What would the 1.5% equate to? What would a 1.5% mill rate increase mean in dollars and cents?

**Mr Houston:** About \$800,000 to \$900,000.

**Mr Easton:** For us, about \$225,000.

**Mr Houston:** With regard to cutting budgets at senior administration, we've been doing that, and the only reason we can run as lean an operation as we do is because of all the cooperation we have between the two boards. For instance, we took the Sweeney formula and applied it to the Kent county public school board, to all of the people in the board office, and we would have had to hire nine people in order to meet his savings level.

**Mr Patten:** You talk of cooperation between the school boards, and I see you're demonstrating that and you are held up as a model. But you say here, "However, if the funding model provided incentives to boards," presumably meaning some value back to the board to find savings. What do you mean by "incentives"? What kind of incentives would be helpful for people to find further savings?

**Mr Houston:** What we would like to see is that the school boards that have done this and have created the

savings and so on would be funded at a little higher level than others who are spending the money on other things. They are able to now make the cuts that we made a long time ago. They get that savings; we get nothing.

**Mr Patten:** So you're being jeopardized now. Somebody who's been frugal up to now then gets hit with this requirement, and it's kind of like double jeopardy.

**Mr Houston:** You got it.

**Mr Patten:** So you get hit twice as hard for having done a good job heretofore.

**Mr Easton:** I'd be remiss if I didn't also mention our francophone colleagues. We have a French-language section of our school board, and for years the French-language school boards and sections in this region have been cooperating together. As one example, they share resource centre staff. Rather than having to hire a person for each school board and incurring that cost, they've been sharing that for years. There's another example of the kind of cooperation, and if incentives were there to encourage more of that in all aspects of education, you would see a tremendous result.

**The Vice-Chair:** To the third party: Mr Wildman.

**Mr Bud Wildman (Algoma):** You mentioned that you had a 9% cut in your grants this year and you're expecting more next. And I think you indicated a 1.5% increase in the mill rate.

**Mr Easton:** That's what this year was.

**Mr Wildman:** The Minister of Education and the Minister of Finance have both repeatedly said, both in the Legislature and outside, that these cuts only work out to 2% to 3% of the expenditure on education. How is it you can come up with a figure three to four times as much as that?

**Mr Houston:** You have to look at what we consider the operating grant, which is the portion we get from the provincial government for our operations. That amounts to about \$39 million. We get another \$41 million from the local taxpayer, and the rest is tuition and other revenue. So if you take it as a total \$3.8 million out of the \$39 million, you come to about 9% of the operating grant, but if you take that out of \$94 million, you get 2% or 3%. It depends on what you're taking which part from.

**Mr Easton:** Let me add one other point. If anyone in this province, including our former Minister of Education, could decipher the grant regulations, I'd love to sit down with him for a while.

**Mr Wildman:** Particularly in terms of the minister's announcement about the \$14.5 million for smaller boards that has completely thrown the grant people off their keel.

**Mr David S. Cooke (Windsor-Riverside):** Anybody who wants to sit down and try to learn it has to be crazy.

**Mr Houston:** I agree.

**Mr Easton:** By the way, that's undue burden grants. Please note, Kent county did not qualify for them.

**Mr Wildman:** There was a list of 27 boards released, and in terms of the numbers, the 3% and the 15%, it looks more like about 60 would actually qualify.

**Mr Easton:** My understanding is that of all the boards that were listed on there, the only one from this region was the Elgin county separate school board, and in discussing with their director after they got that announcement, they didn't qualify for the further funding.

**Mr Wildman:** I'd like to ask two other questions. The minister has said that he does not want to see local property tax increases to make up for the loss in grants.

**Mr Easton:** Neither do we.

**Mr Wildman:** You've had a mill rate increase and you anticipate more cuts next year. I know that it's up to the boards and it's somewhat speculative, but do you anticipate further tax increases?

**Mr Easton:** Our hope is, if there are tax increases at all, that they would be very reasonable, but we are tremendously dependent now on what comes out of education finance reform. We're at the bottom of the barrel here. There's nowhere else to go, and the government has stated very clearly that education finance reform is going to happen. I'm going to tell you very honestly — I've said this publicly — I'm optimistic that they're going to keep their word, and with the support of the opposition I'm sure they will. I would just encourage the government to go through with this.

When you look at the per-pupil cost of our board, which is around \$4,800 a student, and in Toronto they're \$7,000 and \$7,500 per student, something is wrong, and it is unfair. Let's face it: All taxpayers support the Toronto Transit Commission; all taxpayers built that SkyDome; all taxpayers have a lot to do with what's going on in the Toronto real estate market etc, so there should be, in all fairness to all Ontarians, a model of funding that is equal and fair. We're not asking for more money to be added to education.

0930

**Mr Wildman:** I understand what you're saying.

The last question I have is in regard to the Sweeney report, which the minister quotes many times, where Mr Sweeney concluded that 47% of boards' expenditures, on average, are outside of the classroom. Could you tell me what you estimate to be your expenditures outside of the classroom and if you include prep time as classroom expenditure or outside of the classroom?

**Mr Houston:** Prep time is definitely classroom expenditure. If you didn't have to have teachers in front of the students, I guess you wouldn't have to have prep time coverage. You also need buildings to house the kids, you need them to be cleaned, you need them to be looked after and so on. If that's all 47%, it's playing with words.

**Mr Easton:** Let me also add that the definition of that, if it includes principals, vice-principals and department heads as well as supervisory officer staff and central resource staff, then the number, of course, continues to grow. In our case, however, we have very few people and central office staff below the superintendent level. As I mentioned earlier, we are overstaffed a bit at that level. That will be corrected in 1997. As far as principals and vice-principals are concerned, because of the funding cuts we're going to twin two of our schools under one principal, so there's an issue, and also we will be downsizing the number of vice-principals in our elementary school panel to accommodate these cuts, so our numbers will be far below 47%.

**Mr Cooke:** I'm going to raise two issues with you and get your reaction, following up on what Mr Wildman has said, to the Sweeney report. My recollection from reading the Sweeney report was that he talked about moving from 47% to something lower for outside-of-classroom expen-

ditures after the framework of education finance reform, and that you can't do the latter before the other because of the differences in the way school boards are funded across the province and the difference in wealth, and that if you try to do it out of step, the impacts of the cuts are going to be devastating from some of the poorer boards in the province.

I ask you to comment on that, and then very briefly: At this point, have you had any role at all in defining what this new disentanglement arrangement is going to be whereby there no longer may be school boards in the province, and that when you talk about education finance reform and you couple that with disentanglement, some people are concerned that it's going to mean a huge grab of property tax dollars coming into the province, and that's how it's going to work in the end?

**Mr Houston:** In answer to the first question, we feel that if you just cut unilaterally across the board, as it presently stands, again we get punished for being efficient in the past. Unless you have finance reform first, you get everybody on an equal playing field and then you decide what the funding model is going to be and how each person is going to have to handle it. That would be fair, but to do it now, we would be feeling the same way we feel right now: With unilateral cuts across the board we're being dealt with unfairly. We shouldn't have been as efficient in the past; we would have some fat to cut.

In answer to the second one, no, we haven't been involved in the disentanglement discussions.

**Mr Easton:** I echo both of those comments. I agree exactly with what Wayne said, the same comments.

**The Vice-Chair:** Thank you very much, Mr Houston and Mr Easton, for your presentation.

**Mr Easton:** We appreciate the opportunity.

#### ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, WINDSOR SECONDARY UNIT

**The Vice-Chair:** Next we have the Ontario English Catholic Teachers' Association, Windsor secondary unit, Mr Raymond Moreau. Welcome to our meeting.

**Mr Raymond Moreau:** My name is Ray Moreau. I'm president of OECTA, secondary unit, in Windsor. I'm also a teacher in the classroom. If I weren't here, I'd be teaching politics right now. I've changed to come here. With me is the president of OECTA provincially, Marilies Rettig. They're going to help me make the presentation. The brief you have in front of you has been prepared by teachers for the provincial organization. I think you're going to find it very clear and self-explanatory. With me as well is Claire Ross, our general secretary, who has flown in to help me make this presentation.

For those of you who are not from Windsor, we really are glad you are here. We hope you have an opportunity to enjoy this beautiful city. We're extremely proud of it. If you don't have time on this trip, we hope you will come back and enjoy the beauty of this city and all the things that we have to offer here, and they are many.

**The Vice-Chair:** Do you work with the tourist department too?

**Mr Moreau:** I promote Windsor everywhere I go, but I do, actually.



**Mr Cooke:** You're saying that a Catholic teacher wants everyone to spend money over at the casino.

**Ms Marilies Rettig:** Just for bingo.

**Mr Moreau:** We have lots of history here too. If you want a historical tour, I can give you one and would be very happy to do that.

I just have a couple of general comments before we start our actual presentation. I think it's really important for the government, for members of the committee and for everyone in general to remember that we, as educators, are really interested in all the changes that have gone before us and the changes that are needed for the future. We are not opposed to change. We want to be part of the change. Because I personally am in a classroom, I think I have a lot of valid things to say about the changes that are to come in our educational system.

It's also very important to remember that we, as classroom teachers in the educational system, are not talking about an assembly line; we're talking about people. It's very difficult to put a dollar figure on what teachers do on any given day. I want to reinforce that, because to put everything down to just a business system is not fair to the educational system. I'm not saying we can't save money. I think we have to remember that we're dealing with people, not machines.

As we make these changes, it's really important for us to remember that, by all accounts, we already have one of the best educational systems in the world. I know we've been told that it's more expensive in Ontario than it is in Alberta. To make those comparisons is, in my personal view, absolutely ludicrous simply because Toronto, for example, is the most cosmopolitan city in the world. When you have a classroom of students, you can have up to 20 cultures and 20 languages. It's not the same as teaching in other areas. Considering those facts, I think taxpayers are getting a good return on their money.

I turn to my president, Marilies Rettig, who will make a presentation on junior kindergarten. The brief is before you.

**Ms Rettig:** It's certainly a pleasure to be here this morning. I'd like to thank Ray Moreau for allowing us to come and join him in the presentation. As such, we not only speak for the teachers of Windsor and area but we speak for the 34,000 teachers of separate schools who work at the elementary and secondary level across this province.

I'd like to echo some of the comments that were made by Ray in terms of the whole backdrop and the premise on which we make our presentation this morning, that is, for the betterment of the education system and certainly looking towards the opportunity for each child and the future hope for each child, each student, each youth and each adult we teach within our separate school system.

In looking at the area of junior kindergarten, which is the first topic we address extensively within the context of our brief, we have to reflect briefly on a report that was given approximately 14 months ago, namely the report of the Royal Commission on Learning. That report looks quite extensively at the effectiveness of early childhood education programs. They cite examples from Japan, France and other European countries as to the

incredible success and importance of early childhood education programs and how they contribute to the later success of students throughout their academic career.

In fact, as we're all well aware, the Royal Commission on Learning makes its recommendations not only pertaining to the junior kindergarten program but to the effect that junior kindergarten programs should be extended by offering them to three-year-olds; that is, extending the program by offering it to younger students. I'd like to make the following points relative to junior kindergarten programs and the risk they are facing.

#### 0940

The removal and change of the current funding structure will equate to the loss of junior kindergarten programs. Currently, one third of the boards across this province have cancelled junior kindergarten programs, and certainly that's tragic, not only for the students in question but for the families and communities of which they're a part.

The removal of the program equates to a loss of opportunities for young children to develop language skills, conflict management skills, social skills, psychomotor skills and emotional and psychological development.

I quote from our brief: "The long-term educational benefits stem not from what children are specifically taught but from effects on children's attitude to learning, on their self-esteem, and on their task orientation...learning how to learn may be as important as the specifics of what is learned. The most lasting impact of early education appears to be children's aspirations for education and employment, motivations and school commitment. These are not moulded directly through experiences in the pre-school classroom but are indirect effects of children entering school with a learning orientation and beginning a 'pupil career' with confidence. This enables them to avoid early school failure and placement in special education.... Early childhood education may be viewed as an innovative mental health strategy that affects risk and protective factors."

It is quite clear that junior kindergarten is an academically based program. It is not an exercise in child care. Thus, it's absolutely important, for the continued existence of effective junior kindergarten programs, that they are delivered by qualified and certified teachers.

To that end, the savings are shortsighted. Certainly the research we've quoted extensively by Fraser Mustard and by others looks to the long-term benefits of a junior kindergarten program. Indeed, research has shown that for every \$1 that's saved at the junior kindergarten level, \$7 additional are spent throughout the academic career of that student.

Finally, I'd like to reflect upon the impact of junior kindergarten upon families and upon communities. We look specifically to areas in which junior kindergarten was first developed and promoted. I would suggest it was not the urban centres, which could most afford it, but the smaller rural communities in northern and eastern Ontario, communities where they decided 25 to 35 years ago that a junior kindergarten early childhood education program was absolutely essential to the wellbeing not only of those children but to the families and commun-

ities in which they reside and wanted to ensure that those programs came into existence and continued to exist.

With the current state of cuts and the risks that are there, those jurisdictions will lose the programs first, for they will not be able to sustain a junior kindergarten program. A direct analysis of the boards that first cancelled those programs shows it's those small rural centres where both parents work, where there is undue hardship with respect to socioeconomic status, that are the communities first impacted negatively by these cuts.

Today over 100,000 children attend junior kindergarten programs, and I ask, what percentage of those children will not have access to junior kindergarten programs next year? What will this government do to provide for those children, not the provision of child care but the provision of an academic program that will be to the benefit of each and every child who is that age?

I turn it over to Ray Moreau to speak of adult education.

**Mr Moreau:** The brief on adult education that we presented to you is very clear and concise. I'm going to speak more from a personal level because I teach adult education in part of St Michael's Alternate Program high school. I teach politics. My class is with me this morning because, if I weren't here I'd be teaching them at St Clair College in a grade 11 politics class.

One of the things I try to instil in my students when I teach politics is the value of the political system that we have. They're here today to see how we go through a second-stage reading and that a committee examines the legislation that goes before the House. I'm a firm believer in the system we have and I want them to understand how the system works, so they are here. Having been involved in politics all of my adult life, I have some background in it as well.

I want you to know as well that it is really important that we continue the funding of adult education, and I'm going to give you some personal reasons for that. It's not a bonus. You're not doing them an exact favour. We have people who are young adults, and we have people who have been working in industry or in management positions for 20-some years. The plant closes or through downsizing they lose their supervisory capacity and they go out into the work force and they can't get a job because they don't have a grade 12 diploma.

It's been my experience, and I want to reiterate this very clearly, that one of the common elements we have found, and I've been working in this for two years now, is that employers only have one common element to judge the people coming through the door, and that's a grade 12 diploma. You can have all kinds of agencies and self-help groups and groups that provide all these courses, but there's no curriculum, there are no qualified teachers, and the employers of Windsor — I'm speaking for Windsor now — don't accept them.

When you allow these people to go back to school, they are redirecting and making a very significant change in their lives. They're scared when they come back. They have been out of school maybe five years, or sometimes 25 years, but they have great skills which we haven't tapped. I told my class from last quad — the classes are two months each — that if I was an employer and I was

hiring people who had grade 12 qualifications, I would hire them very quickly because of their life experience and their skills. They make a positive contribution to society.

If you don't give them the chance to change their lives and improve their skills, not only will their self-esteem go down the tubes, they will also be a drain on society as opposed to a contributor to society. By cutting the grants and the funding to this, you're not going to save the taxpayers a penny. If these people are not given the opportunity to become productive members of society, then they'll have to take from society. I can give you all kinds of examples, and I could be here all day doing this, of individuals who have come to us and have left us and got a job right out of their grade 12.

We had a woman who had worked in her dad's insurance office for 20 years. She managed the office. When it closed, this woman, with all her skills, couldn't get a job in this city because every employer said, "Where's the grade 12 diploma?" She came to us, got a grade 12, and we put her on a co-op placement at the casino. She's now in charge of the benefit program at the casino. She went from our school to a full-time, well-paying job, and she's only one example. Not to give these people the opportunity to get a grade 12 diploma is really going to hurt, but it's not only going to hurt them, it's going to hurt all of us.

I ask you again not to disfranchise these people. As the Common Sense Revolution said, we are going to give them a hand up. If you look at the stats which are provided in the brief, you'll find that the number of adult students in the province has increased tremendously.

We're also talking about disentanglement. The only group of people that can decide the needs of the adult learner is the local community. We change our program at St Mike's every two months to meet the needs of the people who are there. We don't set up a program and say, "You have to take this." We do what is necessary for them to get a grade 12 diploma and we change the program as often as we can to meet their needs. You can't do that from Toronto; you have to do it from Windsor. Let us do it, but please give us the money to do it, because you're going to save money in the long run.

**Ms Rettig:** Very briefly, I'd like to touch upon sick leave credits and sick leave as it's outlined in Bill 34, and what I would like to do is discern between myth and reality. I feel it's myth that has led to some of the amendments that are proposed within the current bill.

#### 0950

The first aspect is the thought that sick leave credits for teachers are too rich and are much more rich than what is currently enjoyed by other professions. Reflecting on page 18 to a chart we provide for you, one can ascertain that when you're reflecting and comparing other occupations to that of teachers, there's not much difference between the sick leave credits that are allowed in teaching and that are currently enjoyed by other occupations.

The second item that's often referred to in an unrealistic manner is that teachers overuse their sick leave credits. Again, I reflect upon evidence that's given to you on page 19 and page 20 that shows very clearly that



teachers do not make extensive use of their sick days, and comparatively speaking, a study that was done over 1994 showed that teachers used between seven and eight days, in contrast to other professions which use much more than that on an annual basis.

Who would this negatively impact? This would negatively impact those teachers who, because of ongoing chronic illnesses, need to have accumulated sick leave credits and need those kinds of credits, be it because of rheumatoid arthritis or other kinds of chronic diseases of that nature where teachers need to have access to that time. There's no short-term disability plan currently within the teaching sector, and it would be those teachers who are most vulnerable and most at risk who will be negatively affected by this change.

I turn it over to Claire to briefly highlight the equalization payments.

**Mr Claire Ross:** In attempting to deal with equalization payments, I'm struck by the references to casinos and so on. In terms of the plight of the assessment-poor boards, we either need more casinos or we need a printing press to attempt to survive.

I want to make reference to a newspaper article, "Education Funding Facing Turf War Crisis," which was in the Toronto Star of Saturday, May 11. These comments appear on the part of the writer:

"Consider these facts. Two elementary schools — one Catholic, the other public — share the same building and facilities in Etobicoke. It seems to work well, except for one very important difference. The children who attend the public part of the school, Humberwood Downs, receive 31% more — or \$1,789 per child — in revenue than do the children who attend the Catholic part of the school...." Then the author notes, with great clarity and accuracy, that the problem, the issue, is one of assessment-rich and assessment-poor boards.

How does one explain the unintelligibility of the grant system? As David said, and I agree with him, it's probably better not to try, but let me try.

Consider two bank accounts. In the one bank account you have a small amount of money. Those are the bank accounts of the assessment-poor boards. They live on what comes into those bank accounts from the GLGs primarily and, if you like, everyone has access to the bank account. They can stop putting money in if they wish, things like that. The person who draws from it relative to the services provided must depend on what is being put into that bank account. Consider a second bank account, a large one, one that is totally self-controlled, one in which there's no outside dependency, one in which you can raise the amount of dollars above ceiling to whatever you define the local need to be.

This is the reality of what is going on in the province, and thus, as somebody noted with the GLGs, the reduction in terms of the assessment-poor boards is somewhere in the order of 16% of what the government provides measured against the some \$5 billion that is given to the boards on a per annum basis. Thus we see with the assessment-poor boards, both public and separate, on the one issue alone, which is the grit issue, that the differences in teachers' salaries could be in the order of \$10,000 teaching across the street.

When you look at Metro and recognize that this paper says 31% and add to it the second level of cuts, it increases the percentage differential. Now what are you trying to do here in terms of the so-called equalization payment? Basically what the government is saying to the assessment-rich boards is simply this: "Pay us the money that we're taking from all the assessment-poor boards because we control their bank accounts. Pay us that money, provided you choose to do it."

I've been on the ed finance reform for more than a year and I know the position of the assessment-rich boards. I suppose if I were in their position I would take the same position: "Why should I pay any money when I don't have to?" Thus, you have it set in legislation here that, based upon their goodwill, they are being asked to provide.

Quite frankly, members of the committee, what you have in place is a formula which continues to protect the privileged. It is a formula which continues to widen the gap between the rich and the poor; thus the position we take, that what you ought to do is to make it mandatory, because unless you can apply reductions equally across this province, I submit to you on behalf of the children, it is totally improper of you to do anything other than not to attempt to apply something which is so blatantly unfair and so destructively harmful, particularly to the assessment-rich and the assessment-poor.

**Ms Rettig:** In conclusion, I'll just make reference to page 24, where we speak of cooperative agreements. We acknowledge the number of boards and jurisdictions where cooperative agreements currently exist, and a prime example of that are the two individuals who made the first presentation to this committee. Kent county is a fine example of the kind of cooperation that takes place within local jurisdictions. That's not unique to Kent county; that's certainly characteristic of a number of agreements and working situations for boards across this province. We feel that can be enhanced across the province, and hence our recommendation stands before you.

We'd certainly be willing to address any questions the committee may have at this time.

**The Vice-Chair:** Thank you very much. We only have two minutes per caucus.

**Mrs Sandra Pupatello (Windsor-Sandwich):** Good morning and thanks for coming, especially to the guests from out of town. I'm glad that you took such a strong stand on the junior kindergarten issue, as we think it's vital to the program as well. When we met with the Minister of Finance in estimates, he indicated that the change in the financing of it doesn't mean that JK needs to be cut, and we disagree. The changing in the grant structure clearly means boards have to make that kind of decision.

It was interesting that prior to the mandating of JK, 80% of school boards across Ontario were moving towards offering JK. The difficulty in politicizing JK, there's a very small group or percentage of parents at any given time in the school years of students or of their children where they're actually enjoying the benefits of JK so they see them. How do you feel about the change in the funding and the comment by the minister that "We

have not insisted that it be cut or that it be looked at as not a required program”?

**Ms Rettig:** Certainly it will have a negative impact. There are a number of jurisdictions where they've already cancelled junior kindergarten programs, and that's very distressing and of great concern to us as a profession. The change to category 3 has impacted the amount of money that will come back to boards and as a result those boards that don't have access to additional funds, the assessment-poor boards, will not have the opportunity to continue to offer the program. That's of very grave concern. The announcement did have a negative impact upon the continued and ongoing development of junior kindergarten programs, and that's seen and very visible by virtue of the announcements that are taking place now, and more tragically, by those children who will not have access to the program next year.

**Mr Duncan:** Is it fair to say that, based on your four recommendations, your federation is of the view that these cuts will directly affect classroom education, number one, and, number two, will disproportionately affect poor boards, for instance the Kent county board?

**Ms Rettig:** Precisely. It will result in the elimination of junior kindergarten programs and the elimination of adult education programs, as well as having a very negative impact on the delivery of other programs within the context of the school environments.

1000

**Mr Cooke:** After hearing Sandra's intervention I only wish she had been in the Legislature when we introduced mandatory JK because then maybe the Liberal caucus would have voted in favour of it.

**Ms Pupatello:** You want to pick your targets, Dave.

**Mr Cooke:** Down here, Sandra, I know who the target is. Ray, could you outline especially for those on the committee who aren't from this area what has happened over the last 10 years to the Windsor separate school board? I think it's important. When I hear the parliamentary assistant on radio this morning and the minister in the House, you'd get the impression that every school board across the province has been spending wildly for the last 10 years.

Your board has gone through a very difficult process of balancing its budget, eliminating its deficit with a lot of pain and a lot of controversy, and I just wonder if you could outline for the committee what happened to the Windsor separate school board in the last 10 years.

**Mr Moreau:** Thanks, Dave. I'll try and be brief, as hard as that is, because it's good for about three hours. Number one, five years ago our board had a deficit of \$7 million. They closed schools, they laid off 140 teachers, and today they are in a surplus position. That was done without changing the delivery systems to any great extent in the system. We are now in a position where we are taking care of most of the reductions in the future by attrition. We have one of the best tech programs in the secondary panel in the province of Ontario because we didn't have it before; we started off with the new. We have done a great deal in conjunction with industry. We have one of the lowest per-pupil class ratios in the province; we also have the cheapest administrative costs of separate school boards in the province. We've gone

from a position of having actually no money to a position where the books are balanced, we're in a surplus position, but we have to say, at that time it took layoffs and a restructuring within it.

One of the biggest problems I face — and I don't mean to say anything negative about the former Minister of Education.

**Mr Peter L. Preston (Brant-Haldimand):** Go ahead.

**Mr Moreau:** No, I don't. What happened was that we, in effect, did all that, but we didn't get any credit for it when the social contract came in. I have lots of things to say about the social contract, but the fact of the matter is — because it's done blanket. I think what the minister is also saying here, and what's been said again this morning is, just doing blanket cuts without recognition of where different boards are at may be very difficult if you're sitting in the minister's position, but it's really imperative if you're back here in the local areas trying to sort these things out. We're one of the cheapest systems in the province, we have one of the best educational systems in the province, and we're extremely proud of that and we don't think we can handle any more blanket cuts. Did I cover it, or did I miss something?

**Mr Toni Skarica (Wentworth North):** I'd like to take you to page 21 of your brief. Quite frankly I have some problems with your position on sick leave. I was in the civil service last year and we all got six days' sick leave which didn't accumulate, and I didn't feel hard done by. What I find of concern about your position is that right now there's an approximately \$950 million unfunded liability by boards for accumulated sick leave for retirement gratuity purposes, and that unfunded liability is growing. The Sweeney report has indicated they feel that amount now should be frozen, the sick leave that has accumulated right now, and that contracts contain no further retirement gratuity benefits.

When a teacher does retire and gets their retirement gratuity, not a nickel of that goes into the classroom. Your position seems to suggest that if you're not allowed to continue accumulating sick leave and if that unfunded liability does not continue to grow, you're going to go on strike. Is that your position?

**Mr Ross:** Let me try to answer this. First of all, you're confusing two issues: You're confusing sick leave and retirement gratuity. They're two separate and distinct issues. One can be handled in terms of local collective bargaining or, I suppose, if you wish to address that in other means and forms that would be likewise possible. I think one of the things you're going to have to look at very carefully with respect to this is the kind of harm that can be done by the implementation of this kind of legislation relative to long-term disabilities and so on, and in order to get at something else, you're prepared to destroy a whole basis in terms of a benefit that teachers have relative to personal sickness. In so doing, it seems to me that you're throwing the baby out with the bathwater and more. So I would think that there needs to be a lot of clarity of thought in terms of what you're trying to do with this.

**Mr Skarica:** I have a simple question. If you don't continue to get the same retirement gratuity benefits, are you going to go on strike?



**Mr Ross:** I don't think that's the kind of place to ask that kind of question. I mean —

**Mr Skarica:** You're saying right in there, "strikes will occur."

**Mr Ross:** I think we're raising the possibility that what you're probably going to do is put in place an issue that could become extremely serious from the point of view of teachers in this province.

**The Vice-Chair:** Thank you very much to all three of you for your presentation.

**Mr Moreau:** I've really enjoyed it and I hope you guys come back. I'll keep telling Ms Mellor that I want to sit in front of the committee anywhere you sit and any other committee, too.

**The Vice-Chair:** And keep bringing your class, too. I'm sure they've enjoyed this.

**Mr Moreau:** They're going to be here. If it's in Toronto, it might be tricky, but we'll give it a shot.

#### FEDERATION OF WOMEN TEACHERS' ASSOCIATIONS OF ONTARIO

**The Vice-Chair:** Next we have the Windsor Women Teachers' Association, although I believe they've yielded their time to the Federation of Women Teachers' Associations of Ontario. Welcome.

**Ms Margaret Clarke:** Thank you for giving us an opportunity to present to the standing committee on social development. I'm Margaret Clarke, president of the Windsor Women Teachers' Association. With me I have Sheryl Hoshizaki, president of FWTAO, and Joan Westcott, executive director of the Federation of Women Teachers' Associations of Ontario. I'd like to turn it over to Sheryl.

**Ms Sheryl Hoshizaki:** I am sure that some of the things that we'll present to you today you've heard before and you will hear again, but of course this is almost June and as teachers, you know that we do a couple of things in May and June. One, we review a lot and we do this because hopefully this time it sinks in; and we also do it because we want to make sure that when we're finished we can at least say we've taught you this.

As Margaret said, we are a federation of women teachers' associations of Ontario and because of that we are truly representative of communities across Ontario. For that reason, we have chosen to actually meet with you here in Windsor.

We, unlike some others, do not profess to be experts in everything. However, we do believe that we're experts in the link between schools and communities and that that link of schools, communities and families is very complex. We've worked really hard at understanding these connections and we'd like to illustrate the impact of these changes being proposed in Bill 34 and what they will make on this network. We do not suggest at any time that the system is perfect nor do we advocate not addressing the deficit that exists in Ontario.

#### 1010

But we do insist that: (1) the deficit not be delivered solely on the backs of children or adult learners; (2) the process must slow down since the domino effect in one area impacting on the other is alive and well and that the future plan or vision of this government must be clear for

us to make our adjustments; and (3) most importantly, we believe that better integration of these services and the communication coordination for children would be better served.

On page 2, we have outlined our rationale for the importance of junior kindergarten. Junior kindergarten as an organization is our area of commitment. What can we say new about junior kindergarten that we have not already said before? We already know and the committee already knows what the government has done: You've lowered funding from 100% to approximately 45%; you've cut \$398 million from the school grants for 1996, and we know that for a school year, it's \$800 million — no board has cancelled junior kindergarten for half a year; and you've introduced this bill to make junior kindergarten optional for school boards.

I guess our question to the government is: Knowing the research and the rationale — and most of you know it — and the progress that early childhood education programs, junior kindergarten, benefit children in many ways and particularly provide support for families — it's essential care for young children. It's a safe, accessible and stimulating environment, preparing children for school, for academics, and it makes a lot of economic sense. Everyone has heard over and over again the investment of \$1 and the return of \$7, but put quite simply, the cost of education is much cheaper than the cost of incarceration.

We also know — and let's not pretend we don't — that offering JK as an option when it's no longer fully funded is a complete misnomer, in fact an untruth.

On page 2, at the bottom, we have outlined that for the public education system, we're approximating that around 26 school boards have cancelled it, affecting 30,000 young children, knowing full well that last year we had 100,000 four-year-olds attending junior kindergarten.

On page 3, we again have outlined the research and the rationale that is established for insisting that this program remain: the famous Perry preschool study; the reinstatement by the Alberta government of funding for junior kindergarten; and, of course, the commitment that all European countries make in early childhood education, understanding the value of their young children.

Then in item 4, we've outlined the Premier's Council on Health, Well-being and Social Justice, and we've excerpted the importance of children in their early years towards their healthy development.

Making early childhood education difficult to obtain is a mistake in other ways as well. It threatens the most vulnerable in our society — the young children. High-risk children are already hurt by government cuts to welfare, municipalities, health care, child care and women's shelters. Now they'll lose the invaluable, preventive and remedial effects of early childhood education.

At the bottom of page 4 we've outlined what a junior kindergarten program is. For example, it provides opportunities for children to listen, to ask questions, to talk about experiences and extend their knowledge of print. This is essential. I suggest to all of the committee members that you read this part, because I know there has been great discussion and debate on the difference between a junior kindergarten program and an early

childhood education program, and we would like to have the opportunity to respond to that.

On page 5, there is an excerpt from the Metro task force on services to young children and families and the statement they have issued on the commitment to children and the importance of early childhood education programs as well as junior kindergarten.

In addition, this government is always looking for new ideas, innovation, creative solutions, new ways of doing things, doing more with less. We find that interesting considering that one of the first moves this government made was to cancel the pilot projects that would have been the opportunity to take a look at a test case on the integration of junior kindergarten and child care, to truly look at a seamless day that would of course support families that exist in society today.

On page 6, the minister refers to, on many occasions, not just through the questions we have asked as an organization but publicly, and stated to the press, there being this complete review that will be made on the impact of junior kindergarten. We find this complete review somewhat sketchy, because, first of all, how is a complete review done in a province like Ontario when we know some school boards will not have junior kindergarten? At the same time, we have presented and we have offered to present to this government our experiences with junior kindergarten and have only been turned down. So our question to the government is, if there is a complete review, where is it and how is it being done?

As we have stated before as an organization, there's a lot we have learned about how children learn in the past 10 years. The most important thing we've learned in education is that if we can identify the difficulties of young children early enough, we can assist them in the regular program, but in order to do that, we have to identify the difficulty when they're four and five years of age.

#### *Interruption.*

**The Vice-Chair:** Ma'am, these people have requested to meet with us.

Continue, please.

**Ms Hoshizaki:** We'll move into the section on adult education, and hopefully I won't have the backdrop for adult education.

I've read with interest the presentations that have already been given on adult education, especially those that have been done by the adult education student herself. Again, this isn't an area that we as an organization are really involved in, but as a women's organization we believe it's essentially important to listen to life experiences of people who are enrolled in adult education. We believe that to be your best thermostat on the importance of adult education in Ontario.

Having read some of the presentations that were given, especially the woman who demonstrated the obstacles she overcame to graduate from the program — and she insisted that her presentation was not based on self-interest but that she believed it was essential for future people who are enrolled in adult education. I guess what we would like to say as an organization is that school and education is more than just courses. It's really about a community. It's where relationships are the key compo-

nent for success and the range of options are absolutely necessary for a full and a real rich experience for any educational history in preparation for participating in society.

I'd like to move to the changes in sick leave provisions, and this was covered in the previous presentation. We'd like to reveal the myths around sick leave. First, teachers' sick leave provisions are not excessive, and we have indicated in our brief, at the bottom of page 8, comparable employee groups — nurses, for instance. The second myth: Teachers' sick leave is not abused. In fact it's lower than most of the employee groups. But we would like to talk about the confusion of the two: sick leave and retirement gratuity.

Retirement gratuity is a negotiated gratuity. What we believe as an organization is that intervention into this collective bargaining process is not an issue of assisting or helping employers. Collective agreements are just that. They're an agreement. They're the word of the local employer and the employee group, and to upset this balance for whatever reason will upset local relationships, local bargaining, and this is not advisable. Locals have known both hard times and good times. Collective agreements are founded on trusting and egalitarian relationships, not on intervention by legislation. The public agrees with us. They have said over and over again, a deal's a deal. So we suggest to you that you leave the sick leave out of the legislation.

When we asked the minister and the ADM why they would suggest taking sick leave out of the Education Act, the reply was, "This is not a cost saving; this is an issue that we believe doesn't belong in the Education Act." If it is not cost saving, what is the action for? A way to punish teachers in Ontario? I believe the government should really reflect on what its responsibility is.

#### **1020**

Page 10, joint activities with other public agencies: Of course, we as an organization support cooperative efforts. Obviously we have to. We're basically a classroom teachers' organization. We know what cooperation is all about. However, we also recognize the significant differing circumstances that exist for school boards in Ontario, especially in reference to resources. Some schools, for example, Kent county, have already cooperated to the maximum, and so have school boards in the north and they have been doing this for years. We continue to applaud the movements of this government to encourage this cooperation. However, we as an organization do not support the concept of joint action or cooperation if any measures are taken that are detrimental to the education of children in Ontario.

Cooperation and a local model is only one step. What is essential would be cooperation at a provincial level. What we have advocated for years now as an organization is for a government to have the courage to truly look at integrated services, to truly look at the different ministries that serve children: health, community and social services, education and other agencies that serve children. All of us know that children's needs are horizontal, not vertical, and for that reason, we would suggest that this government have the courage and the insight to look at how to better integrate and decrease the amount of bureaucracy in serving children in Ontario.



Page 12, equalization payments: You have already heard from those people who are affected most dramatically by the change in the tax base. We would like to comment, however, on the amendment itself, and that is, as an organization we do have serious concerns about any legislation that intrudes on the use of the property tax base. School boards have the authority to raise funds locally, and with certain limitations, how much money is raised and how it is used is the responsibility of the elected officials and the communities they represent. In other words, these officials are accountable to their communities for where their dollars are raised and where they go in education.

To suddenly require that a portion of these dollars be diverted to the provincial treasurer we believe is away from the purpose for which they were originally intended and is an unjust intrusion into local decision-making and an infringement on the rights of property taxpayers to have revenues collected locally that serve their local communities. It is also an intrusion by one level of government, a level that has taxation powers, into the resources of another level of government. In simple terms, we believe this is a mammoth tax grab. We find it very odd that a government that places so much importance on local flexibility, local accountability, should be taking away from a selected number of boards and taxpayers.

In conclusion, hopefully we've presented some insight into the complexity of the education system and how changes impact on the learning of children and adults in Ontario. However, the action of this government has given no opportunity for us, the federation, the teachers in Ontario, to respond to the effect these changes will make in the lifetimes of children in Ontario. What angers us most is about this government's savings in education — that's what it's about — is that in effect it doesn't impact on classrooms. If this government wants savings in education, just be truthful about the impact it's going to have in classrooms because we believe it's your responsibility.

The impact on classrooms: Basically classrooms do not exist in isolation. Classrooms are about teaching and learning, and teaching and learning exists within a community, within the school community and within their own community. Learning is affected by poor nutrition, by unsafe transportation, by unhealthy learning environments. Learning in classrooms is supported by resources, resource centres, places where children get help. Junior kindergarten and adult education are classroom, places where learning and teaching occur, so let's not pretend it's anything else.

The Federation of Women Teachers' Associations of Ontario has recommendations on page 15:

- (1) That junior kindergarten be retained as a mandatory program for all publicly funded school boards.
- (2) That adult students have access to both continuing education and regular day school programs for credit courses.
- (3) That Bill 34 be amended by the deletion of sections related to sick leave for teachers.
- (4) That school boards be directed to include representatives of all staff groups in planning with other public bodies for cooperative measures which will provide better integration of services for children.

**Mr Wildman:** Thank you for your presentation, and we apologize of the disruption. Just in regard to that, I think it was obvious that the lady who interrupted was not aware that junior kindergartens, even when they were proposed by our government as mandatory for all boards in the province with the additional funding, would be optional for parents. She didn't seem to be aware of that.

Having said that, you indicated that the Minister of Education and Training has talked about a province-wide review of junior kindergarten and the need for it. From my standpoint, I find it a little bit strange that you would cut the funding, eliminate the pilot projects and then afterwards announce a review. It seems like putting the cart before the horse. You've indicated you don't know where this review is taking place and how it can be effective if a third of the students involved in JK are no longer involved because boards have cut their programs. What contact has your federation had from the ministry with regard to this review of junior kindergarten?

**Ms Hoshizaki:** We have met with the ministry, with OTF, the Ontario Teachers' Federation, on one occasion prior to the actual announcement of making junior kindergarten an optional program. The subject of that meeting was more about how could the program be delivered in a different way, in a different manner, not junior kindergarten as junior kindergarten. There was no discussion as to the importance and the research and the rationale behind why junior kindergarten should exist in Ontario schools, but more in fact what would be an alternative program for junior kindergarten. That was prior to the announcement.

We have since then as an organization upon our own initiative met with the minister to present what we believe is our rationale and our insistence on why junior kindergarten should remain, but there has not been a formal process that we know of for a provincial review, certainly not in the past six months.

**Mr Wildman:** As far as you're aware, there's no formal process. So your federation or OTF is not represented on any formal group that is reviewing junior kindergarten in the province?

**Ms Hoshizaki:** That's right.

**Mr Wildman:** Do you know if boards of education or separate school boards have been asked to participate in any such review?

**Ms Hoshizaki:** We know of none. If there are any boards that are participating in this review, we certainly would know whether teachers are being asked to participate and, in particular, junior kindergarten teachers.

**Mr Wildman:** In your meetings with the minister and the ministry staff, did they indicate which ministry officials are involved in this review?

**Ms Hoshizaki:** No.

**Mr Wildman:** I wonder if this review actually exists.

**The Vice-Chair:** We'll have to leave it at that, Mr Wildman.

**Mr Marcel Beaubien (Lambton):** Good morning. I think in your presentation you referred to the fact that you are the experts between the schools and the community. Could you explain to me why there is so much or appears to be so much friction between the school community, the municipalities, the teachers, the parents,

the students? Could you clarify that, if you are the experts?

1030

**Ms Hoshizaki:** First of all, you're leading the question by saying there is friction. We don't agree with you that there is the friction you're suggesting among the parties you have — unless you're speaking of some specific area, I can't respond to it. I can tell you that as the president I've travelled the province, I've met with communities as well as the schools, and generally speaking, statistics and research demonstrate that most parents are quite happy with their schools and the education their children are receiving locally.

**Mr Beaubien:** I have just conducted five public meetings in my riding, which is Lambton, along with one meeting with representatives from three high schools, and that is not the feeling I get. High school students resent the fact that when teachers have preparation time, they're using that time for jogging around the track.

**Ms Hoshizaki:** I would like to respond on that, because I think your research base would be similar to my research base if I were to go into my community and ask the same question about politicians.

**Mr Beaubien:** Well, we're not going to get into an argument here.

**Mr Preston:** I was very happy to hear you differentiate between junior kindergarten and early childhood education, because I think we've been using the terms interchangeably and they're not necessarily interchangeable. Early childhood education, as all the experts have been telling us, starts at six months. I don't believe we should have our children in schools at six months; I do believe we should start our early childhood education. I'm asking you about alternative sites for early childhood education and alternative means of delivery, which means not necessarily a teacher and not necessarily in school, but achieving the goal of early childhood education. What are your comments on that?

**Ms Hoshizaki:** Certainly, as you've stated, there is a difference between ECE, or early childhood education, and junior kindergarten. Let me go over what they are: Early childhood education is about child development — cognitive and physical development and the stages children go through. Junior kindergarten really is about child development and the learning process, the development children go through in the academic and cognitive stages. One is in preparation for learning readiness, more the academics of schools; the other is the socialization development or the development children go through in their early years.

It doesn't mean they have to exist in isolation. They do in some places where you have early childhood programs and you also have junior kindergarten programs. I've been in schools throughout Ontario where they have an ECE program as well as a junior kindergarten program. I've also been in places throughout Ontario where they have a combination of the two, where they have a team that delivers early childhood education and there are ECE workers in the program as well as a junior kindergarten teacher who overviews or oversees the actual dynamics of the academic program. I wouldn't like anybody to think that in Ontario junior kindergarten exists in isolation with all school boards; it doesn't.

There are many combinations of ECE as well as child care as well as junior kindergarten in different school boards. It's the way in which we're formatting the program. What we say as an organization is that they belong together, that there is and should be provision where ECE workers can work with junior kindergarten; they don't have to be replaced. There's valuable contribution from an ECE worker as well as from a junior kindergarten teacher. Both can extend and have reciprocal learning processes. Children benefit the most from having experience from both programs.

What we would like to say is that when you say children who are six months should not be in school systems, junior kindergarten is not a replacement for parents; it's not the state taking over the parenting of children. Junior kindergarten, as well as early childhood education programs as well as child care programs, is essential to the support of families today.

**Mr Duncan:** Having been through a number of schools here locally — indeed this morning, dropping my son off at school, I was approached by a number of teachers about the hearing — the agitation I have sensed in classrooms, having met with kids and teachers, is towards the government, not towards prep time. Is that the finding of your teachers? I've met with high school, elementary, public and separate, and there is a great deal of anxiety in the classroom, but it seems to be directed more at the government than at teachers. Would you concur with that?

**Mr Preston:** No, not a chance.

**Ms Hoshizaki:** That's a leading question. A quick response is, generally speaking, the teachers I speak to do not look necessarily to the blame. What they are fearful of is that the extraction of the resources will definitely impact on their ability to make a difference in a child's life. That's what the issue is for teachers. They could probably assign blame to government upon government upon government; that's not their issue. Their issue is to be able to have the resources they need to serve children the best they possibly can to make a difference in a kid's life.

**Mr Patten:** I would just like to refer to your comment that "JK is no longer an option for many boards because it's the easiest way to find the savings imposed by the cuts to the grants." Frankly, this is not a debate about the quality of the program or the quality of education or which program is the best to implement; it is an economic venture, as I think you point out. We've had incredible representation that was so overwhelmingly conclusive about the value of junior kindergarten that it makes your head spin. I personally have learned a great deal by the presentations thus far, so I concur.

You said that so far there are 26 boards that have cancelled junior kindergarten, and you've identified the increase in loss of funding next year when we get an annualized situation. What do you think is the projection of how many boards would actually cut junior kindergarten next year?

**Ms Hoshizaki:** It's really difficult. We had projected around 40 school boards this year, and it's moving at around 30. We've had many that are holding their decisions still at this late date, which is unfortunate. I



would say that half of those school boards that are holding it for this year are saying they're just postponing the decision one year, so it's really scary to try to predict how many school boards will cancel by next year. I think what's really important, though, is that government is also about leadership, and when you have the leaders in the province saying that junior kindergarten is not important enough to be mandatory, then in fact you have the same decision-makers locally following that model, and that's the unfortunate situation.

**The Vice-Chair:** Thank you for your presentations and your comments.

**Mr Wildman:** I have a question to put to the parliamentary assistant, or to the committee at least, if we can get an answer. I'd like to get an update from the ministry for this committee on the review of junior kindergarten to find out where it is, who's doing it, and when it will be complete.

**Mr Skarica:** I'll check into that and get back to you.

#### WATERLOO COUNTY WOMEN TEACHERS' ASSOCIATION

**The Vice-Chair:** Next we have the Waterloo County Women Teachers' Association: Donna Reid, executive director. Welcome to our meeting.

**Ms Donna Reid:** I'm very pleased to be here and I'm very pleased to have this opportunity to talk to people about the concerns of Waterloo county.

As you know, my name is Donna Reid. I'm a teacher, and I've been a teacher for over 30 years. I'm here today because I want to give you a face to the stories that you're hearing. I want you to know the story of Waterloo county from the viewpoint of the teachers in Waterloo county, and in particular the women elementary teachers in Waterloo county.

I've been around for a long time. I was around for the first royal commission, Living and Learning, and again for the latest one, For the Love of Learning.

I want you to know that the trustees and the teachers in Waterloo county have an excellent working relationship. We value it on both sides and we want to keep it. It's becoming more difficult, with some of the strains of the cutbacks, for us to keep that. Our negotiations, for the first time, were not concluded until just about a week ago, and for the first time in Waterloo county we had a mediator. So you can see that there has been more difficulty for us as we're trying to maintain that positive relationship.

1040

A little bit about us: There are 1,860 women teachers in Waterloo county. We are just one of the associations of the Federation of Women Teachers' Associations of Ontario that you just heard from. The two concerns I want to talk about today are junior kindergarten and eliminating the 20 sick days. Those are the two concerns that our members have spoken of most frequently.

In Waterloo county we'd only just begun the program of junior kindergartens. The teachers had wanted it for a very long time but had great difficulty in convincing the trustees it was a viable program. Not that they hadn't tried; the federations had tried very hard, as well as our consultants and coordinators. Some of them you may

know, very respected educators. But for a long time our trustees resisted and resisted and resisted putting in JK programs. But because there had been leadership from the Ministry of Education and Training and because they said it was mandatory because they believed in the program, our board began to initiate them. We have only had them for two years, as you might well know, going from nine to 45 classes and then hoping to have every school community with a JK class.

The trustees looked at the cutbacks and decided to eliminate the JK program in December. They were probably one of the first boards in the province to eliminate JK. We were very, very disappointed that this happened, but we realized and we knew that if the commitment was not there from the government, it was not going to be there from our trustees. We believe in early-years education and we believe the ministry must show leadership to school boards by maintaining this program as mandatory.

We also believe that good working conditions for teachers equal good learning conditions for students. That leads into the removal of the sick leave provisions. We feel very strongly that people in service fields such as teaching choose that career because they're the kind of people who are helping people by nature. Teachers have a sense of responsibility to their students and to their other staff members, and it shows in the statistics around sick leave. The statistics we gathered in Waterloo county show that, on average, seven or eight days per year are used by teachers in sick leave. It tells me two things: Teachers do not misuse these days, and change is not necessary to cut costs.

We know that sometimes teachers have serious illnesses that require them to be off for longer than they would like to be. It seems to us a hardship for those teachers not to be able to accumulate so that they could then keep their income protection until they can go on long-term disability. We think that 20 days available for sick leave is reasonable and just. Other professions have similar provisions. In our opinion, all workers should have sick leave available to them.

We have noticed over the past few years that there has been a serious increase in our long-term disability claims. It's difficult to pinpoint the cause of this serious increase, but stress is one of the causes, we feel quite certain, because of the kinds of disability claims that are being made. There certainly is additional strain in the workload of a teacher.

The other thing I'd like to point out to you is that locally we have bargained for a personal day. That personal day is being used at this point for an important matter in a teacher's personal life. Now we have about 40% of our staff that use that personal day each year at the elementary level. Again, this tells you that teachers do not misuse the kinds of opportunities and benefits they have.

We are hoping that the government will take a leadership role in education in this province and we are hoping that you would not take the sick days out. We think it would be fair and it would cause less acrimony among boards and teachers if the government retains the sick leave provisions in the Education Act. Good working

conditions for teachers equal good working conditions for students.

We know that change is inevitable and we know, with this rapid change in technology, that we are facing change and as teachers we are prepared to embrace change that means our students will benefit.

The changes the government is proposing to the Education Act that we have commented on today will not benefit our children. It will not benefit the teachers in Ontario. It is left for all of us to ponder who it will benefit.

I'm here today to ask you to abandon the proposed changes to JK education and the sick leave proposals. We want you to consider carefully the points I have made and the earnestness of my appeal. We are teachers who care about students, our board and ourselves. We want a government that will do the same. Thank you.

**Mr Carroll:** Thank you very much for your presentation. Most people who have come before us this morning have stressed how important junior kindergarten is. If I accept that fact of how important it is, then why is there not some compromise about the person who teaches it? All we hear is we must keep it and it must be done with qualified teachers.

Early childhood educators, who are specifically trained for early childhood education, take that child from six months or one year old, two years old, three years old, and they train them. Why all of a sudden at four does it become absolutely essential that the person who is imparting knowledge to that small child become a qualified teacher? Why isn't there some compromise there among teachers' federations and school boards to allow a less expensive person into the act?

**Ms Reid:** I believe the previous speakers who were speaking from a provincial level said there was and that we wanted to work with ECE workers as well. If you're asking me is it important to have a teacher in a JK program, absolutely. It's a teacher's role to diagnose, to evaluate and, on the basis of that, to plan the educational future for that child, but to work in concert with early childhood educators, yes, indeed.

**Mr Carroll:** Did the teachers in Waterloo propose the use of ECEs?

**Ms Reid:** No, we did not have ECEs in our classes.

**Mr Carroll:** Why not?

**Ms Reid:** It's not for me to answer that question. That would be more properly put to the board of education.

**Mr Carroll:** No, but if the program is so important to educators, why would we compromise the program just because the kind of person we wanted to teach it we couldn't afford any more? Which is more important, the program or the teachers?

**Ms Reid:** I think both are extremely important, the program because of my personal belief in the program; in fact, I was devastated on a personal level because I wanted my grandchildren to have an opportunity to go to a JK program. But as a teacher I also am very concerned that it be teacher-driven, that teachers have a responsibility for the program.

**Mr Frank Klees (York-Mackenzie):** I'd like to just address a quick question to the issue of the sick leave. In a previous presentation this morning from the Catholic

teachers, it was made very clear that if that is touched, there will be strikes.

You make reference in your presentation that, on average, elementary teachers use seven to eight sick days per year. If that's the case, why the firm position on retaining the 20 days in legislation? What the government effectively is saying is that should be left for negotiations between the boards and the unions. Why is there such a strong position that this position be left in the statutory provisions?

**Ms Reid:** I think I make reference to it in the brief before you, that we believe it should be a provision the government makes so that it happens for all teachers across this province and it is not something that is negotiated at the local level where there may be differences in what teachers are able to achieve. We think it is fair, we think it is reasonable, we think it is just, and we really believe it should remain.

**Mr Klees:** Should all negotiations then be done on a provincial basis?

**Ms Reid:** No, I'm not proposing that.

**Mrs Janet Ecker (Durham West):** Just to go back to the early childhood education thing, are you saying then that early childhood educators are not teachers as you would define teachers?

**Ms Reid:** No, they're not. They do not have a teaching certificate, in that definition of teacher.

**Mrs Ecker:** Early childhood educators will tell you that the same kinds of things you have talked about, identifying disabilities and all those sorts of things — they're quite capable of doing it.

1050

**Ms Reid:** I certainly do not intend to put down early childhood educators. I am saying in the formal sense of having teacher training they do not.

**Mr Bruce Crozier (Essex South):** Good morning. I want to, just for a moment, go to the sick leave provisions. I say this without any prejudice, but I think there's a significant number of our constituents who do not quite understand the sick leave provisions. I think they agree that teachers, like any other profession or worker for that matter, should in the case of a catastrophic illness have protection so that there may be a limited number of days under which a board or an employer would cover the employee and then long-term disability would come into effect.

But I think it's the banking provision, to use an old term — I don't know what the most modern term is, but we used to call it banking sick days. I think that's the way they can't quite swallow. A growing number of the general public is saying: "Why should you be able to bank sick days? We'll take care of you if you have a catastrophic illness, but why should you be able to bank 280 days, 180 days, 300 days?" Can you justify for those who are questioning this why you should be able to bank half a year's salary collectible at the end when you retire?

**Ms Reid:** So you're talking about something that's a little different than just the banking of the days. The banking of the days of course would be for that catastrophic illness you talked about, so that if you were ill and it was an extended illness, you would have enough days to take you through to your LTD.



**Mr Crozier:** That's the point. The LTD would pick up at seven days, 20 days, whatever.

**Ms Reid:** Sometimes they don't pick up till 60 days.

**Mr Crozier:** All right, 60 days.

**Ms Reid:** The banking then is for that purpose, but the other issue you're talking about is retirement gratuity, which is something that is negotiated locally. I don't have any stats here with me to back it up, but I believe that retirement gratuity pays for itself in many ways because of the fact that teachers don't use the days.

**Mr Crozier:** That's, I think, a big term that we're going to have to explain to the general public.

**Mrs Pupatello:** I had occasion to travel to Waterloo and meet with people from both the Waterloo public and Waterloo Catholic boards, speak with teachers and students from that area. I can tell you that I was pleased to see that not only were the teachers very outspoken about the direction of the provincial government and did feel strongly that the government was in the midst of dismantling education, but the directors of both boards have also been very outspoken, widely reported in the press in the Waterloo area. I was pleased that both teachers and board administrators were coming on side and saying that the provincial government is not improving education through Bill 34, for example.

We understand also that Elizabeth Witmer, the minister from your area, when the toolkit was announced, specific Bill 34 items, she was on the phone about 7 in the morning — and this was reported to us by the people she was calling — apologizing for the contents of the toolkit, saying clearly to both teachers and directors of boards that she apologized for its content, realized it was wrong-headed. We must also note that Elizabeth Witmer is a former chair of a board of education in Waterloo, so she's very cognizant of education issues.

It's unfortunate that a cabinet minister from Waterloo has not had the ability to impact on Minister Snobelen in Bill 34. Coming from Waterloo you probably are familiar with that background.

**Ms Reid:** Well, I can tell you, I was not one of the people she called at 7 in the morning.

**Mrs Pupatello:** Thankfully.

**Ms Reid:** I can't really respond.

**Mrs Pupatello:** Both Mr Wildman and I actually were in Waterloo together and we certainly missed having a Conservative representative at the debate that occurred there that evening. Tell me the difference between the stripping away of rights that have been collectively bargained for at a local level, ie, the sick days' entitlement — and the Conservative government is on record as saying they agree with the collective bargaining process — and the stripping of rights that occurred through the social contract with the NDP government. Is there a difference, or are they both stripping away rights gained through collective bargaining?

**Ms Reid:** That's a very complex question you've asked me and I don't know that I can give it really the answer it deserves, but I'll try.

The social contract, in my opinion, although it interfered with collective bargaining, did give teachers an opportunity to say what they wanted to say. So if you were going to say anything good about it at all, that would probably be the thing you would say.

**Mr Cooke:** Time's up.

**The Vice-Chair:** No, no, she's got 30 more seconds. Go ahead.

**Ms Reid:** But I'm finding with this government there isn't the opportunity to talk. There simply isn't. And I was pleased today, and somewhat surprised, that I had this opportunity to talk, because it's been unusual. When we've tried to get to places and to tell people what we think, what we feel, what we know in our hearts, we haven't had that opportunity. I really value having that dialogue.

**Mr Wildman:** Thank you very much for your presentation. What really hit home to me was your statement that you're concerned that the changes that are coming out will not benefit children, and your question as to who benefits since teachers and boards don't benefit, in your view.

You talked about junior kindergarten, and I understand your concern for your grandchildren. I have a little girl who I had hoped would benefit from junior kindergarten programs as well. Does your federation — have you had any contact with the ministry about a review of the junior kindergarten program now that the so-called option has led your board to discontinue the expansion of junior kindergarten and the elimination of it really in your area?

**Ms Reid:** As a local association, no, we haven't had that opportunity.

**Mr Wildman:** Okay. There was a question put to you by my colleague Mr Carroll. He was questioning as to why teachers should argue that teachers should be involved in JK, teachers with certificates — I wrote it down as he said it — “since we can't afford it any more.” Isn't it a question of making decisions based on allocation of funding based on priorities, and if everyone recognizes the importance of early childhood education then that should be one of our priorities?

**Ms Reid:** You're talking to somebody who would certainly sell that story. I think the federation to which I belong has always been a leader in early years education and thoroughly believes in it. We have attempted many, many times with different governments to convince them of that fact and from time to time have been successful. Hopefully we can have some impact now, because I really think that junior kindergarten is going to assist students, it's going to assist families and it's going to have an impact beyond what many of us can even envision.

1100

**Mr Wildman:** It would seem to me that if a government were to make junior kindergarten compulsory and allocate funding and grants to that, that would be an indication that that government saw it as a priority. If another government makes it optional and removes funding, that government obviously does not see it as a priority.

**Ms Reid:** I would agree.

**Mr Cooke:** I wanted to just go back, because I think there seems to be some confusion here this morning. I recall very clearly having discussions with your federation in particular about the expansion of junior kindergarten. Even looking at the three- and four-year-olds' program, your federation, as I recall, was very clear and

up front in saying that teachers should be part of the program but that you supported very strongly the different professions being part of it.

Maybe you can confirm this, that the ratios we currently have in junior kindergarten and kindergarten are much higher in terms of students to professionals than they are in early childhood education or in child care centres right now. In order to improve that program, we do need to lower the class sizes and have more professionals. Your federation was at that time, and it's still your federation's position, that you're prepared to work hand in hand with ECE workers.

**Ms Reid:** Absolutely.

**The Vice-Chair:** Thank you very much, Ms Reid, for your presentation and the comments and questions that followed.

#### BOARD OF EDUCATION FOR THE CITY OF WINDSOR

**The Vice-Chair:** Next we have the Windsor Board of Education; chairperson Beth Cooper, and the director of education, Mary Jean Gallagher. Welcome to our hearings.

**Mrs Beth Cooper:** I am Beth Cooper, chairperson of the Windsor board, and with me is Mary Jean Gallagher, the director of the Windsor board. I think our brief was passed out. We are going to do the Mutt and Jeff routine of switching backwards and forwards — good terminology for the two of us.

Many of you know that I have been a school board reformer since the time I got on a board of education in 1988 and I have personally fought for and sought financial restraints, accountability and access to board information. I openly support the strengthening of the role of the trustee and am an advocate for local governance as vested in that duly elected trustee. This is the oldest basic democratic principle. I have pressed for demonstrable quality in education through valid assessment and evaluation, and all of these things I have pursued both locally and at every provincial opportunity.

The greatest improvement in these areas across the province has evolved through local trustee elections. There is far more public awareness of educational issues, and noticeable inroads for change have been made in many parts of this province. Now what is required is the enabling legislation to correct the out of date and the imbalances in current legislation that restrain further reform at the local level.

There is no question that at our board, change has taken place. These significant changes, coupled with the financial realities, are making boards change. Out of necessity, they are moving from the comfortable status quo.

I would cite the \$6.8 billion spent on education in 1985 and the \$14-billion-plus spent in 1994, as mentioned in the Sweeney report. Certainly one source for this escalation was the duplication caused through the extension of full funding, but this is not the only reason. There have been extravagances within boards that must be controlled, and I applaud the efforts that have been taken at our board. There is significant vacant space that once had positions, desks, chairs and people in our central offices.

Restructuring, downsizing, cooperation, financial accountability, restraint and quality in education: Ontarians are frustrated because of what they are paying. They have no control over this and no control over what is being taught and how. Local school boards must be held accountable for the delivery of this service. The ministry, on the other hand, must provide solid leadership and quality documents if positive, measurable improvements are ever to be achieved.

Education reform will fail unless it leads to higher, better-informed expectations on the part of all stakeholders, of themselves and of each other.

There is a role for school councils, but not as a means of governance. Special interests, economic status, demography would cause even greater disparity and lead to an even weaker public education system. The funding of the three systems we have has already weakened our resources and proved divisive. Ontarians collectively purchase the service; the governance mandate must be broader than at the local school level.

I believe the current model can still work if the Education Act is revisited. Amending it will assist local accountability and access to information — full information. True decision-making will be vested where it belongs, in the duly elected trustee who will be charged with and will be held accountable to ask better questions, confirm adherence and compliance. Boards will be able to deliver the service the electorate want and be accountable for it. Non-elected boards, as in the hospital or college-university sector, do not undergo the same scrutiny as school boards, nor are they held to the same standards for accountability. The same would be true if the method of governance went to local school councils at this time.

To impose massive changes now to the method or the source of funding would create chaos. The problem does not lie entirely in how we are funding, but also in what we are funding.

I'll turn it over to Madam Director.

**Mrs Mary Jean Gallagher:** As Beth mentioned, my name is Mary Jean Gallagher. I'm the director of the Windsor board.

I believe strongly that different communities have different needs from the education system, so I wanted to begin my address this morning to you with some discussion about the Windsor community and our board of education, because it is, I think, a precursor to understanding the position we're taking on some other areas.

The Windsor board is a public board of education in our city with responsibility for educational programs for approximately 20,000 elementary and secondary students and several thousand adults.

Windsor is a community of great ethnocultural diversity. Recent surveys of one family of schools — we refer to a family of schools as a secondary school and the elementary schools that feed it — revealed that its student body contained 59 different ethnic cultures and an even broader range of language and dialect. Our diversity matches or exceeds Toronto schools, yet the population density of some of our ethnic groups is small enough to leave them isolated from the ethnic support groups common in larger metropolitan areas. This leaves our schools as the critical centre for many communities.



**1110**

Fully one third of our elementary schools are designated compensatory, identifying them as having higher proportions of higher-risk children as a result of family and economic circumstance. We're geographically located at the far southwestern end of our province, feeling somewhat isolated ourselves from the provincial milieu and surrounded by American influence.

Finally, our economic history is one of boom or bust. Our community understands well the significant impacts of plant closures and economic insecurity.

As a board, we take seriously our accountability, both to our students and parents for our learning programs and to our ratepayers for fiscal decisions. Like all other boards of education in Ontario, we're struggling in these times to maintain the breadth and quality of service our citizens require, while coping with unprecedented funding reductions. Bill 34 has as its intent the implementation of various government announcements regarding the reduction of education grants, but falls far short of the kind of assistance to school boards and their staffs which was both needed and promised.

**Mrs Cooper:** Back to me on junior kindergarten.

Bill 34 makes junior kindergarten an optional program, in recognition of the large reductions in grants experienced by boards who offer this program. Because of the way in which the new grants are calculated, this reduction in financial support has been implemented on an uneven basis from board to board across the province. In fact, differences between coterminous boards have resulted in situations in which access of children to junior kindergarten programming is now determined along religious lines, hardly a commitment to universal access for Ontario residents.

For Windsor students, our junior kindergarten program represents our best opportunity for early intervention in meeting the needs of special-needs or high-risk students. This identification of special needs at an early stage can be accompanied by more interaction between the various provincial ministries responsible for providing service to these families. The primary role of teachers should be to teach. They need the assistance of others to remove the many obstacles to these students learning. Early literacy preparation is a critical issue for later student success. Particularly in our urban setting, we believe junior kindergarten provides a crucial link for us to establish beginning partnerships with parents in order to support children.

We believe junior kindergarten is no longer an option for our community or in our society. This conclusion is supported strongly by the research of such people as Dr Fraser Mustard and the Canadian Institute for Advanced Research. Dr Mustard's research links future economic prosperity and high-quality early childhood supports and experiences. Our junior kindergarten program provides early access for learners and their families, giving us an early opportunity to enhance parenting skills for parents of our junior kindergarten students and their younger siblings.

Not every child in our community or our province enjoys an environment rich in literacy and learning resources. Recently, one of our teachers shared with our

trustees a very common, typical type of situation. As we said, one third of our schools are compensatory. A parent arrived at school at 9 am impaired, with her kindergarten child, searching for that child's medication. So the staff, the administration in our school, had to deal with not only a child and their medication but also with the impaired parent. Failure of our system to reach such children early, to enrich their learning opportunities, will have significant and long-term financial consequences for us all.

If we believe that children should be ready to learn when they enter school, then we must be able to remove barriers to learning as early as possible. We must also know that our staffing provisions provide the team of professionals required to support the programs in an affordable way. For these reasons, we must be assured that faculties of education have fully prepared our teachers to practise the craft of teaching. We must also be able to use fully the ability and the skills of early childhood educators. It is the view of the Windsor Board of Education that the government must proceed as quickly as possible with its reviews of junior kindergarten and differentiated staffing.

Coming from a nursing background, I know too well the values of differentiated staffing. The use of the nursing assistant or the licensed practical nurse, physiotherapist, respiratory therapist — these things came upon health care in the 1970s, at the time that nursing was being taken out of hospitals as schools of nursing. Some things worked. At that time, they thought you could take anyone off the street and have them pass instruments in an operating room, and therefore they created many OR technician programs. There isn't one left standing today, because it didn't work. But we are saying that certainly early childhood educators have a place in our system.

We believe junior kindergarten is not an expensive form of child care in our community; it is an essential first experience in preparing our children to succeed in school and in life.

**Mrs Gallagher:** I'd like to pick up with some comments about adult and continuing education. In Windsor, as I mentioned, our economic cycles, because of the proportion of our economy directed to one industry, gives us a boom-or-bust cycle. In this environment, adult and continuing education programs are not makeup programs for people who have already had their chance. This program is instead our community's most powerful vehicle to reduce our reliance on welfare and social assistance, social support programs, to prepare our citizens to take advantage of the employment opportunities of the 21st century, and to provide for our employers a capable and skilled workforce.

A boom-or-bust environment is not dissimilar to a long or extended agricultural year. The history of Windsor's economic cycle shows that in times of bounty, jobs are plentiful. It's harvest time and our citizens take on those jobs to provide for their families, often leaving schooling incomplete. They do this because they know that in a few years the wintertime of economic bust will be upon us and that that's the appropriate time to retool and retrain. It's exactly support for that cycle that our adult and continuing education programs provide.

The changes in this act implement the government's decision that students over the age of 21 in Ontario are not entitled to the educational resources and programs to which their children are. Not only does this significantly reduce the programs we can offer adults across the province, but it also implements these changes in narrow ways which leave school boards in untenable situations.

If a legislative change is to be implemented to address adult and continuing education, it's critical to change all the related areas of the act and regulations so that there is consistency in the approach. To do otherwise leaves school boards to either pass the costs of comparable programs on to our ratepayers or to face legal challenges surrounding either our collective agreements or human rights issues.

Bill 34, in its attempt to enable boards to divert adult students to programs in continuing education, in fact limits this ability significantly. Clearly, provincial grants are changing for students over the age of 21, but the change of access is limited for students who have not had seven years of access to secondary school, or four years after age 16. This limitation permits boards to direct over-21 students to continuing education programs only for those for whom appropriate programs exist. This raises the following significant questions:

If a board offers no continuing education program during the day, will we be required to admit over-21 students to a regular secondary school program if employment or child care needs prevent their attendance at night school? If that's the case, how are boards to do that without significantly increasing expenses to their local ratepayers?

What about adults with special education needs? Adult and continuing education programs have never been designed or funded to include special-ed programs. This board is currently defending itself in a human rights action involving a hearing-impaired adult who felt he should be provided with interpretive support in a continuing education class, even though ministry grants for such programs do not exist. This case is a relatively small cost item when compared to other possibilities.

**Mrs Cooper:** How do the needs of developmentally challenged adults fit into this legislation? Some adult citizens in our community have spent many years living in or supported by a range of agencies either in Canada or abroad, in the case of recent immigrants. Often these people have accessed very few years of secondary school but may have been identified as exceptional in the past. We have no continuing education programs so specialized that they are designed to meet the needs of this population.

I wish to point out that at present, when age-appropriately placed and provided support in our schools, these students can represent a program cost of up to \$35,000 per student year. As provincial funds become restricted for other agencies, school boards are facing increased numbers of these adults requesting access. School boards should not and cannot be expected to accommodate these adults for many years because other agencies are restructuring and have left us to do the job. There are many with us in our board that we have for age adulthood. Developmentally there may be no change, or little

change. Parents wish us to continue this because the care is good. It is often one-on-one care and it provides respite for those parents. I guess for boards of education the question is, for how long should a board be responsible?

**1120**

**Mrs Gallagher:** While I mentioned legislative simplification in the area of adult and continuing education, there are some other areas as well.

This government has spoken of its platform of eliminating red tape for businesses and pursuing disentanglement for municipalities. Please recognize that school boards need simplification of the legislation as it applies to them as well, and this simplification extends beyond what this bill provides for us.

Considerable recent provincial legislation has increased costs to boards both in direct dollars and increased staff. The minister speaks frequently of too many dollars being irresponsibly spent by school boards in non-classroom areas, and yet many of those areas are exactly those things that government legislation that is still in place for school boards requires us to provide. I don't mind being held accountable for things that are my responsibility in this board, but I quite frankly resent being held up as an example of someone who makes poor funding decisions when I'm doing my best to comply with provincial legislation and to maintain services in my classrooms.

For example, continuing pay equity legislation has dramatically increased our costs in adult and continuing education and may also be what ultimately prevents us from offering a continuing education program model during the day to meet our community needs.

The increased expectation and requirements that boards of education assume responsibly for social programs and other government initiatives such as primary class sizes, pay equity, employment equity, employer health tax, WHMIS, drug education, anti-violence initiatives, AIDS and sexuality education, heritage languages and multicultural initiatives all take a toll in terms of providing administrative time, seminars, committees and the production of teaching documents. We aren't simply going to be able to throw all those out there and say: "There you go, teachers. Figure it out yourself in terms of how it's going to sort out." Their primary responsibility is to teach the students in our schools. If these initiatives and expectations remain unchanged, it's grossly unfair to assume the social and program needs and the staffing levels of the 1990s can be returned or compared to those of Ontario's classrooms in the 1950s.

The negotiations time lines in the School Boards and Teachers Collective Negotiations Act, when combined with Education Act identification of dates and rules for individual teacher contracts, leave boards in a catch-22 situation. Free collective bargaining on a level playing field is actually prevented because of the ability of either party to an agreement to extend and/or manipulate time lines in this process so as to prevent change.

In our view, this represents a fundamental flaw in the process. In the past, boards have used this to delay increasing staff levels, and now teacher groups use it to delay decreases. While both parties over time have been responsible for this behaviour, the financial consequences to boards as they restructure and downsize are greater,



particularly in an environment in which we're expected to do our financial planning almost retroactively. The reality is that reductions in teaching staff, with or without direct classroom consequences, can only be accomplished in August with appropriate notice by May 31. If we go past those dates, nothing is going to change for at least one additional school year. It makes planning and responding to financial information and reductions that come in November, with details in April, absolutely incredible in terms of what we try to do.

**Mrs Cooper:** Permissive legislative changes surrounding sick leave plans and the retirement gratuity do not provide enough assistance to boards. The retirement gratuity, developed as a result of provincial legislation creating and enshrining it — that is a typo in your copies — is strongly defended by provincial federation commitment. Ultimately, it can best be resolved through provincial action.

Adding to that, I would talk about the Sweeney report again, which indicated the unfunded liability across this province at about \$1 billion. I am here to say to you that it is probably \$10 billion. The public has a right to know about this unfunded liability across the province. It is a serious and urgent issue and it is perhaps the one area where boards need the most assistance in provincial legislation.

**Mrs Gallagher:** I'm aware of the time, so I will try to speed up a little bit here.

An area of concern to our board that isn't in any of the recommended changes is an area that boards have long requested assistance with, and that's the definition of an occasional teacher. It seems like a fairly minor thing, but under the current wording in the Education Act, and as a result of some recent arbitrations, let me give you an example of some issues we are facing.

School boards are struggling to restructure and to minimize layoffs. None of us wants to lay off our staff if we can avoid it. We're being forced to hire teachers on contracts in the following scenarios.

If I have a teacher who goes on a maternity leave May 1 and is going to be absent until October 1, the definition of an occasional teacher in the Education Act requires that I not replace that teacher with a supply teacher or an occasional teacher, but in fact I give a teacher a contract. Then when my first teacher comes back October 1, at best I'm carrying that extra teacher until December, because the Education Act says I can only reduce staff as of December 31. That's not what that was intended to do, and yet that's the effect for school boards.

In addition, if I have a teacher who is absent September 1 and expected to return, if that teacher doesn't return until the following September, I just hired the supply teacher I put in there on a contract basis retroactively. I didn't go through the process of trying to select the teacher I wanted to have in that position, but again it's a matter of the definition of the occasional teacher.

We have to look at that whole host of legislative areas and, I would submit, listen more carefully to some school boards which have been requesting some things that don't turn the world upside down but make a significant difference in our ability to deal with those issues.

**Mrs Cooper:** On agreements to cooperate, just very quickly, I would say our board certainly supports the

intent to promote more sharing, but we would like the initiative to go far further to facilitate the removal of the barriers to sharing and the provision of additional incentives to share.

The removal of barriers includes the need for more interministerial cooperation and coordination to be reflected in how various provincially funded organizations function. Reasonable sharing arrangements are often impeded by these structures and they encourage local agencies to compete with one another in the provision of services. A pilot that we have currently going is working with one of our local inner-city schools with the Windsor social services, police services and children's aid services, and taking the approach that whoever identifies the problem first is the lead agency but that all other agencies will work together for the benefit of that family, that child. This, I believe, helps in removing the silo effect, the giving and the receiving of messages, both at the ministry level and at the local level. I think we need to eliminate this silo approach.

In Bill 34 you also encourage boards that are in a negative grant situation that they may make an equalization payment. This is grossly unfair to Ontario's citizens in other regions because the reduction in grants comes to the rest of us, so the impact on the rest of us is certainly greater.

In summary, I would certainly like to thank this committee for giving us this opportunity to speak about some of our concerns on these issues. We know that governing a province such as ours is no easy task and that solutions are not easy to make. We very much wish the members of this committee to understand Windsor's economic and geographic realities. They have made us unique and independent in this province, often innovative in our attempts to meet the needs of our people in our community. Windsorites have never been willing or able to wait for provincial answers in a number of areas, and we would submit that this has strengthened our community and probably our province. We have a proud history of leading the way in Canada in per capita United Way giving, of being the first hospice site in Canada, of achieving the recent voluntary health care restructuring to lead the province, and leading the province in the provision of adult education since the 1920s. We respectfully ask that our government, in this bill and in other legislative areas, act in ways that empower local decision-making and enhance service-driven leadership processes and accountability.

1130

**Mrs Pupatello:** Thank you for your presentation today. I did want to mention to the government members that the Windsor Board of Ed adult program has a better track record for employment than any government employment program in the history of the Ontario government, and for that reason alone we have to have a special look at the changes you're making and encourage you not to go in the direction you currently are. This board of education also has one of the highest numbers of nutrition programs in Ontario and sees the critical need for nutrition and its impact on learning and education.

Can you tell me how the school board will withstand the cuts you're taking currently and that you'll continue

to take next year? How will you ensure that it will not affect the classroom, as is the mandate from the current Conservative government?

**Mrs Gallagher:** First of all, I've been really clear that I don't believe you can reduce funding to education to that extent and not affect the classroom. We are, in our budget deliberations and in our discussions with our employee groups, doing our best to minimize the impact on class size, but just because you don't change the size of the class very much — and some of that will have to go on — doesn't mean you aren't making tremendous differences in what's happening in a classroom.

We are in discussions with our employees, with our teachers, about issues like preparation time and administrative allowances, we're dealing with significant reductions in central office staff with reductions to support for custodial positions and so on, we're going at all of those sorts of things, but the Ministry of Education itself identifies that across Ontario 95% of education spending is going into classrooms and classroom-related programs. It is a fact, even according to the ministry's statistics, that 4.5% of education dollars are spent in any central office administration programs, so quite frankly I can't do it without having an impact on the classroom, and it's absurd to think I could.

**Mr Cooke:** I'd like to thank the chair and director. I always detect great skill in presentations from schools boards where they try to call for centralization where it's appropriate — in other words, where there might be something you don't want to do at the local level with collective agreements but you'd like the province to do it for you, but then claim that you want to have local autonomy when it comes to things like curriculum and other things, "Because Toronto can't possibly understand Windsor." Your brief was very skillfully done in that area.

What you didn't outline for us and what is very important for us to understand — because we constantly hear in the Legislature, every day from Mr Harris, that there's no reason for property tax increases and no reason for any cuts to classroom education in this province. I'd like to understand better from you what the cuts are to classroom education, what the cuts in general legislative grants have been to this board this year and what you're expecting them to be next year. There was some pretty good documentation in the local press.

**Mrs Cooper:** I could start by saying that when I got on the board in 1988 — my first budget was 1989 — about 43% of our funding came from the province. This year it was 28.9%. That's the kind of decrease we've seen in funding.

Some of the impact on classroom is not direct. We have reduced, in program departments, seven of 23 positions. We certainly have seen a reduction in our special services. Those are the supports to our teachers. As we try to follow the mandate of integrating wherever it is possible, you need people to help that integration. I don't know of one teacher out there — with seven, eight, 10 different learning styles in a classroom, and now you're adding special-needs students into that — who says, "Bring more, I need some more challenges in my life," without supports. We've had reductions in our special services in the classroom. Certainly we have tried

to eliminate or lessen the impact, but I don't know for how much longer.

One of the things that is not included in some of the predictions of the 47 cents is the administrative time, the preparation time. Those are administration costs, but they certainly impact on what that teacher is able to do in the classroom.

**Mrs Gallagher:** What I would point out is that this board in its current budget has reduced by \$4.5 million out of a total budget of about \$140 million. Of that, approximately \$3 million was a reduction in provincial grants. Now, that reduction in provincial grant applies to only 40% of my budget year. As I've pointed out, I can't go in there April 1 or May 1 or whenever I finally find out what my bottom-line budget is and make changes immediately.

**Mr Cooke:** So the impact on an annual basis is \$6 million.

**Mrs Gallagher:** No. The impact on an annual basis is close to \$8 million because it's 40% of my year. I've got 60% from January to June. What that amounts to is that there have been significant changes.

**Mr Preston:** Thank you for coming today, ladies. Your presentation was interesting and informative. I want to get back to childhood education, and I don't want to say childhood education versus JK. We'll leave it at that. You agree with alternative staff and alternative sites?

**Mrs Cooper:** I don't believe we said sites.

**Mr Preston:** Well, I'll say sites. You said alternative staff.

With identification of problems being one of the most important parts of early childhood education, and bearing in mind that these things start to manifest themselves as early as six months — eye contact, coordination, what have you, can be the leaders into problems — at what point should a municipal, regional or provincial government start funding early childhood education?

**Mrs Cooper:** There's no question that the parent is the child's primary teacher. The fact is that in today's society those primary teachers are not found on a consistent basis, specifically when we talk about one third of our schools being compensatory and the fact that we believe in it, even the pilot we're attempting with the city and other agencies, because we can reach that school-aged child at the junior kindergarten level, and younger siblings and the family as a whole. A lot of our schools are running programs, workshops on parenting and other programs, to teach that whole family unit in order to try and break out of that cycle. I believe that the earlier we can get some kind of handle on those disadvantaged children in our society, the better chance we will have as a province and as a community to remediate the problems that exist in society today.

**Mrs Gallagher:** The one comment I'd make in direct response to your question is that often people hold up school systems and what they achieve in places like Germany and Japan and France and Sweden and so on as being superior to our school systems. I would point out to you, sir, that those school systems begin with quality early childhood education programs as early as age three. I would say to you that if we were really serious about preparing students for literacy programs and so on, we



should be moving to earlier childhood support rather than later, as is the current situation.

**Mr Preston:** My question was, when does some form of government fund some form of early childhood education? When, in your opinion? You're saying we should go back to three.

**Mrs Gallagher:** I certainly was a supporter of the recommendation of the Royal Commission on Learning that it be started at age three.

**The Vice-Chair:** Thank you very much for your presentation. It's been very informative and we've enjoyed it.

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#### ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

**The Vice-Chair:** Next we have the Ontario Secondary School Teachers' Federation: Ms Leisha Nazarewich, the president of District 1, Windsor; Mike Walsh, executive director of the OSSTF provincial office; and also Earl Manners.

**Mr Earl Manners:** And also one other: Chris Malkiewich, who is a staff with OSSTF as well as a member of the board of directors of the American Education Finance Association.

**Ms Leisha Nazarewich:** I would just like to thank the committee for the opportunity to present the OSSTF view to you. Earl Manners, our president, will be dealing with most of the presentation.

**Mr Manners:** You have our brief in front of you. I'm not going to go through all of it. I'd like to leave an opportunity; I'm sure you'll have some questions. I'm just going to highlight various aspects of it at this time.

Let me begin by saying that Bill 34 emerges in the midst of the most determined cuts to its funding that Ontario public education has ever experienced. More than \$800 million, annualized, will be removed from the elementary and secondary education systems over the next school year. As a result, during a period of sustained enrolment growth in the province that has the highest per capita income and cost of living and that welcomes the greatest number of immigrants, our per-pupil expenditure will fall below the national average. No Ontarian concerned about the future of our province can be secure in the face of this reality.

Using the most up-to-date Statistics Canada and Canadian Teachers' Federation data as well as those provided by the Ministry of Education and Training, we find that Ontario in 1995-96 expends about \$277 per pupil more than the average of the other provinces. That doesn't include Ontario in the calculation of the average; in the appendices, you can look at the fact sheet, "The \$1.3-Billion Myth," to see how that's calculated and look at the sources. In 1996-97, after factoring in the grant cuts, Ontario will spend about \$27 above the average of the other provinces. Using the more common calculation, however, the one that includes Ontario in the calculation of the Canadian average, we find that in 1996-97 Ontario will spend an estimated \$85 below the Canadian average. Given the nature of Ontario's population, its geography and cost of living, there's no justification for dropping

our investment in education to this level. The inevitable result will be lost educational opportunity for a generation of Ontario's students.

In fact, the government's attack on education funding seems to contradict the message of the Progressive Conservative Party's education document Blueprint for Learning. I'd like to quote a section from it: "About 75% of immigrants to Canada eventually settle in Ontario. In many cases, the children require intensive English-as-a-second-language training in order to join the academic mainstream. This is placing an incredible demand on our schools, particularly those in Metropolitan Toronto, where the majority of Ontario's immigrant and refugee population settles."

Given this statement in the Conservative Party's own education document, section 4 of Bill 34, the one dealing with adult education funding, and section 9 of Bill 34, the clawback or tax grab from Metropolitan Toronto and Ottawa, seem to fly in the face of this statement of fact from the government's own documents. I'm going to deal with adult education first, and I'll ask others to deal with the clawback.

When we deal with adult education, the Common Sense Revolution seems to say an awful lot about education, as we know. Let me give you some quotes from the Common Sense Revolution, and I'm not necessarily agreeing with all of these. One of them is learnfare: requiring able-bodied welfare recipients not working "to be retrained in return for their benefits." That's one of the directions of the government — learnfare. "For every life we get back on track we are avoiding further costly programs down the road." "Young single parents on welfare will be encouraged to stay in school and complete their educations." Finally, as you know, the last statement, which has been mentioned by more than myself: "Classroom funding for education will be guaranteed."

These are statements from the Common Sense Revolution. I would like you to keep those in mind when we talk about adult education, because the proposed amendments to section 49 of the Education Act, which redefine who is eligible to attend our secondary schools, and regulation 285 amendments, which allow boards to offer continuing education programs during the school day, facilitate the dismantling of the regular adult day school programs. In our brief, you can look at what's been happening in many jurisdictions across the province.

But there are serious flaws even with the amendments to section 49. I'll remind you about that quote about single-parent mothers staying in school. If you look at amendments to section 49, you'll see that dropouts are punished. The amendment may even cause the dropout rates to increase. Clause 49.2(2)(b) of the definition of "adult persons" appears to be open to several interpretations. This clause allows boards to target dropouts. Under this wording, a female student who drops out at 16 because she gets pregnant and returns a year later, having not attended secondary school for a total of four or more school years after having turned 16, would be denied access to daytime secondary programs. I have to ask why the government would be trying to punish someone like this, punishing dropouts in general, rather than trying to

help them get back into the school system and get the education they need.

It also seems to be discriminating against 20-year-olds. They'll be pushed out of day school. Clause 49.2(2)(c) allows 20-year-old students with birthdays before December 31 to be denied daytime secondary programs. These students may be found in every high school in Ontario. This section is age discrimination in disguise. As the definition of "adult student" is contained in the grant regulation, it can be changed annually at the whim of the government and school boards will thus have great difficulty in carrying out long-term planning, not knowing what that regulation will be from year to year.

Funding cuts to small boards are going to destroy the adult ed programs. I think the minister has even recognized, in some of his later announcements, that the cuts hurt smaller boards. In subsection 49.2(3) the government is passing the buck to boards by the so-called flexibility it's providing. But for smaller or isolated boards, the cut in funding for adult students amounts to a 70% to 80% reduction. None of these boards then has a real choice of whether they can offer adult programs or not. As noted above, adult daytime programs are being cut in board after board around Ontario.

To give the government some credit, in subsections 49.2(4) to (7) the government appears to be trying to guarantee adult students some minimum rights to an education, but I want to point out to those on the government side that adult students are unlikely to be able to use these guidelines, and they're probably ineffectual to begin with. Adult students are unlikely to be able to challenge school boards that merely turn them away, for example. Is a 23-year-old refugee from Bosnia likely to be able to identify in English what courses he needs and whether they are offered only in day school? Even with section 49.2 and its various subsections, legal counsel suggests that it is probably against the Human Rights Code; it is probably an example of indirect constructive discrimination, discrimination very definitely based on age because of the exclusions and the restrictions and the preferences that are in there based on age.

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The result will be a two-tiered education system for Ontario's students. The plan of this government is to deny access to a quality education to the most the vulnerable members of our society. The proposed changes to the Education Act, made in the guise of offering flexibility to boards of education, will set up a two-tiered secondary system in the province. Those over 20, including single parents on family benefits, immigrants who need upgrading and anyone who did not make it the first time, will be denied access to the day school programs that have had such resounding success rates — all of those data are included in the brief — and directed to severely underfunded continuing education programs that cannot meet the needs of these students. Nor can they ensure that students graduate as quickly as they do in our day school adult programs, and thus they will remain on welfare for even longer. This just doesn't make common sense.

I'm going to ask Mike Walsh and Chris Malkiewicz to make some comments about the drawbacks.

**Mr Mike Walsh:** My name is Mike Walsh, executive officer with OSSTF. Referring briefly to section 9 of Bill 34, which permits boards to make an equalization payment to the province up to the amount of a board's negative grant, "equalization payment" in this context is a delightful euphemism for tax grab. The property tax for educational purposes is clearly designed to meet the needs of local schools and their students, and not to help the Ontario government fund an income tax break to our province's well-off citizenry. However, thanks to Bill 34, public taxpayers in negative-grant boards like Ottawa and Metro Toronto will be in the unenviable position of contributing their education property taxes, if the Minister of Education and Training has his way, to the consolidated revenue fund of the province.

The Golden report on the greater Toronto area clearly indicated that Metro Toronto already subsidizes services in other parts of the province through the income tax system. This tax grab would lead to a further subsidization by Metro Toronto of the rest of the province. This was something the Golden report clearly advocated should not happen. She indicated in her report that pooling might take place at the regional level but should not go to the provincial level.

Metro Toronto, as Earl has already indicated, has a high-cost student population by virtue of the overwhelming number of immigrants who come to the area. Metropolitan Toronto and Ottawa, particularly Toronto, both are suffering from losses of funds as a result of tax appeals that have eaten away at the assessment base. This tax grab comes at a most disadvantageous time and will be, in our view, a loss of funds to education. They will be moving out of education into other things, into the black hole. Chris will add to that.

**Mr Chris Malkiewicz:** I'm Chris Malkiewicz, staff person with OSSTF. One of the roles I have in education finance is to look at other models of funding for education, both in Canada and the United States. One of the things I've always been proud of is Ontario having one of the most favourable funding models compared to other states, one that seems to allow for the disadvantages and advantages that are present in Ontario, as well as identifying things like the area, transportation etc.

When we look at what happens in terms of grants, grants in negative boards are actually determined not by their assessment but really by how the ministry determines the funding formula. That's driven by the fact that the government first determines how much money will be given to education from the province and then drives the formula backwards. One of the things that is true in Ontario is that there are grant-rich boards and there are also assessment-rich boards. If you happen to be grant-rich, then you are assessment-poor, and in reverse, if you're assessment-poor, you tend to be grant-rich. We can look at a board in the far north that has a very high ceiling, a board that's spending in excess of \$9,000 per student, and being recognized for it, and having virtually no assessment base. That's where the balance comes in.

It's also interesting to note that there is no real correlation between the amount of money spent by a board and the board's wealth. In all the studies we've done through the years, in ones we've presented in the States, this



seems to be fact. If we look at what's happened between 1992 and 1994 — and the reason I use 1994 is because the education finance review used the 1994 numbers — and what is happening in 1996, the amount spent per pupil in Ontario is decreasing. What hasn't decreased, though, is the amount of immigration, the number of social needs and the different types of problems that Ontario faces. Ontario doesn't have the advantage of choosing who it lets in, who it doesn't let in or anything else; they have to service all. Some of these factors that are identified by the amount of money known as compensatory education are used, for a very small amount of money, to provide that equity, and as funding has decreased that equity has decreased.

The boards determine what types of programs are run, and they also determine what programs don't run. That's based on local need. One of things we've found in looking at the various models in the States is that when there was local autonomy there were local decisions. An area like Hawaii, which for years has run its own education system from the state capital, is now looking to get to some sort of board structure. They don't have a large number of schools; in fact, the greater Toronto area has more schools than all of the state of Hawaii. I'll leave it there.

**Mr Manners:** Let me conclude — I think we're coming up on the halfway point — by mentioning that there are a number of other items in our brief, including references to junior kindergarten and the overwhelming research that shows that junior kindergarten can provide a head start to all of the youth of Ontario and that it is the most cost-effective means of ensuring students get off on the right track in their education.

Regulation 298, which we call the deskilling of secondary schools, talks about department headships, but certainly with all of the announcements that the government has made about changing the curriculum of secondary schools, if you think this can be done and managed without having certified, qualified professionals as department heads and directors of subject areas who are responsible for helping rewrite the local curriculum, if you think that can be done without them, you better relook at that. It's just impossible.

Of course, there's other background information on the number of layoffs that have occurred or been announced throughout the province, as well as information on sick leave on a comparative basis.

I'll leave it there, with this final statement: It seems to me that, going back to something that was said in the Common Sense Revolution, you can pay now or pay later. Usually later the costs are much greater. I believe this government has chosen fiscal expediency at the expense of the long-term viability and efficiency of our education system. I would urge you to relook at certain aspects of Bill 34 in the interests of students and in the interests of the education system as a whole. Thank you very much.

**Mr Wildman:** Thank you for your brief. I'd like to deal with classroom education, but for a moment I want to clarify a few things you raised. You have obviously consulted legal counsel, and your concern with regard to adult education is that the provisions in the act might be considered age discrimination and subject to human rights

investigation and action. Have you advised the ministry of this and, if so, what response have you received?

**Mr Manners:** When we first heard the announcement about adult education, the whole question of discrimination came up in informal talks, I believe including at the education finance reform table, but it has since gone ahead. The ministry responded to some of those concerns by trying to word subsections 4 to 7 the way it did. However, I don't believe it accomplishes the goal of overcoming discrimination. There is still indirect constructive discrimination according to legal counsel we've consulted and legal counsel the trustees' organization has consulted as well. We're very much concerned that charges will be brought under the Human Rights Code.

**Mr Wildman:** The provisions with regard to negative-grant boards and your characterization of them as a tax grab: Obviously that affects Toronto and Ottawa right now, but because of the way the ceilings are and so on, it's quite conceivable the negative-grant boards will not just be Ottawa and Toronto in the future, but will be other boards, such as Windsor, Hamilton, London perhaps. Who knows? There's no provision in this legislation for determining which boards, other than that they are negative-grant boards, and there's no provision for time frames in terms of how long. This could go on forever.

**Mr Manners:** Admittedly, it seems weird to be highlighting Metropolitan Toronto and Ottawa in the city of Windsor, but the tax grab from Toronto and Ottawa has implications and creates an artificial ceiling for every other board of education in the province. Because what is a negative-grant board can change from year to year, based on the assumptions and various definitions that are used through regulations by the Minister of Education, any other boards of education could find themselves in a negative-grant situation. I understand Peel, for example, is very close to being in a negative-grant situation, and there may be others, including some of the places you've mentioned. Where in the past there has been some negotiation of a settlement regarding Metropolitan Toronto and Ottawa, this puts into legislation something that can be used and misused by any government.

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**Mr Wildman:** This gives the provincial government access to the property tax to go into the consolidated revenue fund, as you indicated. There's nothing in this legislation that I've been able to identify that indicates these funds will actually be used for education. They could be used for health care or they could be used for roads or social services, whatever the province determines they should be spent on. Have you been able to identify any provision that requires the money that accrues to the provincial government be used for education?

**Mr Manners:** There's absolutely no protection whatsoever for education in this bill. The money taken from Metropolitan Toronto or Ottawa does not have to go back into education. It would go into the general coffers of the province and therefore be double taxation on those areas and any other area that might find itself in negative taxation.

**Mr Wildman:** There's no provision that this would help Kent county, for instance, because they are a poorer board.

**Mr Manners:** Not that I'm aware of. I don't see that it could help Kent county. The way you deal with Kent county and others is to make sure the provincial funding of education is at an adequate level.

**Mr Carroll:** Mr Manners, I just want to go over it a little bit. The OSSTF, as I understand it from my information, is opposed to the College of Teachers; is opposed to JK being optional; is opposed to the elimination of grade 13; is opposed to the Toronto public board — not the Toronto separate board — sharing in reduction in funding; is opposed to sick leave reform; is opposed to reform of adult education; is opposed to the tax cut for hardworking people in Ontario. Your answer for all this — you're opposed to everything we do — is to increase funding to the system. Would you please tell me, sir, whether we should take it from health care, policing or social services?

**Mr Wildman:** You're taking it from them already.

**Mr Carroll:** Mr Manners is going to answer the question.

**Mr Manners:** That is not an accurate reflection of what this federation stands for. We are in favour of many things. Unfortunately, you haven't listened to them as a government. We have been in favour of education finance reform and we've been participating in that. We've been sitting on your secondary school reform project in spite of the fact that one of its goals was to save \$350 million, and yet we're there participating in that project. We have made submissions to the royal commission on something called the full-service school which would look at ways to ensure that we provide all services for students that are necessary, from the classroom to support services for special-education students, in a cost-effective manner. This is just a number of examples of things we're in favour of that could save money.

At the same time, we do not accept the premise of your finance minister and your Minister of Education for cuts to education that we were spending \$1 billion or \$1.3 billion above the Canadian average. That is simply not true. We have 42% of the students in this country and we are only funding 41% of the costs of education in this country, so if the goal of this government is to be merely average, we're there. We think our education system should be above average.

**Mr Carroll:** A quick follow-up: Did I understand right that the OSSTF joined the Canadian Labour Congress?

**Mr Manners:** Yes, you did.

**Mr Carroll:** Could you explain the reasoning behind that decision?

**Mr Wildman:** What has that got to do with it?

**Mr Duncan:** What does that have to do with it?

**The Vice-Chair:** Just a minute. He's entitled to ask the question.

**Mr Manners:** I'd be pleased to, because it is a question of whose side you're on. You're accusing me today of being a special-interest group.

**Mr Carroll:** I didn't say that, sir.

**Mr Manners:** No, but that's the implication, and we're no more a special-interest group than the Tory government is. The difference between us and you is a question of whose side we're on. We're on the side of working people, we're on the side of the middle class, we're on

the side of young people, and we joined the Canadian Labour Congress because there is an example of 2.2 million parents and citizens interested in education. We think that the voice of education should be there, and it's been missing for a number of years.

**Mr Skarica:** We heard some disturbing evidence from Beth Cooper of the Windsor Board of Education this morning that with reference to the retirement gratuity, there's an unfunded liability, she feels, of \$10 billion; the government says approximately \$1 billion. That's money that does not end up in the classroom. We also heard some disturbing evidence this morning from the Ontario English Catholic Teachers' Association that basically, if the status quo was interfered with, strikes will occur, according to their brief.

I'd like to know two things: Do you agree with their position, and if not, what is your position with reference to the retirement gratuity situation as it stands right now?

**Mr Manners:** With reference to the retirement gratuity, the statement was made earlier of an unfunded liability of \$1 billion across the province. This is pure myth-making. Just examine this: You have a teacher in Windsor at \$65,000 who retires and gets a gratuity of half a year's salary, a further \$32,500. The following year, if anyone is hired in place of that teacher, it will be someone at the bottom of the grid earning \$32,000, so they've saved the \$32,000 they had to pay out in a gratuity the year before.

This is exactly the reason I've talked to the Metro Toronto financial people, "Why don't boards budget for gratuities?" The answer is very simple: They don't need to because it will never be more than 2% of a board's budget to pay out gratuities, and it's self-funding — the rollover costs. The second year after that teacher has retired the board is more than \$30,000 to the good, so it is a huge myth about gratuities going to be breaking the bank at some future time.

**Mr Papatello:** Welcome to Windsor. You spent some time speaking about this tax grab from the Metro Toronto and Ottawa areas. I want to quote an Ottawa paper. There's some kind of coercion suspected, that Bill 34 is not going to mandate the turning over of funds but that Snobelen said if the trustees cooperate, hand over the money, they stand a better chance of receiving provincial assistance in the future. There might be coercion involved in that the ministry may simply merge the Ottawa and Carleton boards as recommended in a recent report and that the ministry expects trustees to think twice before openly defying the minister.

This is more of what we've seen in terms of a bullying tactic by the government: going out to the public and using fancy words that essentially mean, "You're going to do as I say," and doing the political thing in making changes such as Bill 34. The political thing doesn't really work out, as has been pointed out to us by boards of directors of the education system and associations representing teachers. The government has been quite good at doing the political thing, which isn't actually solving any problems, that if the government truly had the will, they would have made the tools real tools that trustees would have liked and just been up front about what the heck they were doing.



Mr Manners, you have been misquoted in the House and quoted several times specifically on the issue of the amount of money Ontario spends on education, that the very number the government uses as the basis for making the change, that is, for simply cutting money from the system, is wrong. You've pointed that out in a number of reports. Could you comment on that?

**Mr Manners:** The numbers that were used by both the Treasurer and the Minister of Education in earlier statements were based on 1992-93 data, first of all, which didn't take into account the restructuring that took place over the last three years in particular.

Secondly, it included the costs of junior kindergarten and kindergarten students but didn't include the students, therefore artificially raising the per-pupil cost. As well, they included funding for private schools and through the federal government. All those were used to artificially inflate the number.

We have data from the Ministry of Education and Training, from Statistics Canada and from the Canadian Teachers' Federation — none of it disputed by the government, by the way — that show that those data are absolutely out of date and out of touch with reality in 1995-96. That's why we can say unequivocally that we are not spending above average in Canada's richest province; I don't think we should be, anyway. We are spending below average as a result of these cuts.

I hear statements that we are not prepared to change. Of course we're prepared to change. We're changing all the time. It's just a question of direction. I'm not interested in bankrupting the education system, as our Minister of Education suggested might be the way to go.

**Mr Patten:** Just a tiny follow-up on that. I think the figures you used for calculating that are very good. It's been our contention as well that we're not spending above the average. When you did the 1996-97 calculations, did you annualize those figures or is that just the \$400,000 that was used in cutbacks for 1996-97?

**Mr Manners:** It's annualized.

**Mr Wildman:** I'd like to move a motion. I would move that the government table with the committee their projections as to which boards across the province will be or could possibly be in a negative-grant position over the next 10 years that the provision of this bill would then apply to. We have the figures.

**The Vice-Chair:** Could you put your motion in writing and perhaps at the end of the day we can deal with it, if that's all right?

**Mr Wildman:** If the government wants to supply the information voluntarily, I don't have to move a motion.

**The Vice-Chair:** Mr Skarica, any comment?

**Mr Skarica:** I'm sure we don't have that information available.

**Mr Cooke:** I'm afraid you do. You had it when I was there, so I think you still have it now.

**Mr Skarica:** I'll check into it and let you know.

**The Vice-Chair:** All right. He'll check into it. We're recessed until 1:30. Please be back on time.

*The committee recessed from 1215 to 1330.*

**The Vice-Chair:** It being 1:30, we'll resume, if everyone could take their seats, please.

## ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

**The Vice-Chair:** We have with us now the Ontario English Catholic Teachers' Association, the Essex secondary unit and the Essex elementary unit, represented by Rick Meloche and Bernie Dupuis. Welcome to our meeting, gentlemen. Proceed any time you're ready.

**Mr Rick Meloche:** My name is Rick Meloche. I am president of the OECTA Essex secondary unit. I represent 240 men and women teachers who have chosen careers in the separate system in Essex county.

**Mr Bernie Dupuis:** I am Bernie Dupuis, president of the Ontario English Catholic Teachers' Association Essex elementary unit. I personally have been in the teaching career business for 33 years and I represent 440 women and men who are employed in the JK program up to grade 8, including French-as-a-second-language teachers and special-education program teachers. Thanks for the opportunity to address you.

**Mr Meloche:** I will be taking you through my brief, and we will be doing this together, so there will be times, for example, when we are speaking on JK, I will turn the mike over to Mr Dupuis. I will be highlighting certain sections of it. I will not be reading it all for you. As an introduction, I think some of these say it very clearly.

The Essex secondary unit of the Ontario English Catholic Teachers' Association is pleased to have the opportunity to present our concerns about Bill 34, An Act to amend the Education Act. We sincerely hope that what we are about to say will be heard very clearly by all those present.

The unit is strongly opposed to the amendments on junior kindergarten, adult education and sick leave entitlement. We are committed, in rejecting these amendments, to maintaining equality of educational opportunity for all.

In paragraph 1:05 I think it's pretty clear as well. The unit views the amendments to junior kindergarten and adult education as the beginning of an assault upon public education through inducing a financial crisis in assessment-poor boards like the Essex County Roman Catholic Separate School Board and decertifying the teachers involved in these programs.

The unit views the amendments made to the Education Act with respect to sick leave provisions as an attempt to contract-strip with respect to sick leave and the retirement gratuity. Serious labour unrest in the Essex secondary unit is guaranteed by such proposals.

Under junior kindergarten, I will speak very briefly and then I will defer many of my concerns to Mr Dupuis, who is the president of the elementary unit.

Reports have shown clearly that there is a correlation between early childhood education and performance as teenagers and adults. My concern as a secondary unit president is the student who is coming to us in high school, and if they will be disadvantaged by not having an established junior kindergarten program at the elementary level, then we are going to be finding, obviously, problems occurring that needn't occur.

As you can see in the brief, several things have been mentioned. For example, the rate of employment doubled

for people with early education, completion of high school increased and so on, so we are looking at productive members of society. It is not to say that if you don't have JK you will not be, but it seems that it will help you along the way if you have JK. It will impact obviously on the ability to effectively teach young students at our level depending on the person we get to begin with.

**Mr Dupuis:** I'd like to spend some time with you on the junior kindergarten, and I'd like to focus it on the Essex county Roman Catholic school board and its program, including the opportunity of two of my four girls attending junior kindergarten and seven of my grandchildren attending kindergarten. So maybe I have some knowledge of that program other than just from a teacher, but also from a parent and from a grandparent.

I'd like to focus on the junior kindergarten program the Essex board includes. I've listed about seven sections of what learning opportunities for kids that program includes. I would like to make sure the words do not stay as words in your mind but that you also have a vision of what it means when you encourage a child to explore and when you teach a child to solve problems.

In the Essex Roman Catholic school board, the teachers are trained to use learning centres. These learning centres adapt daily, and they are used specifically to give kids the opportunities to explore, to discover, to investigate, to take risks and to solve problems. While they're doing that, the various social skills are happening in that context.

We also try to provide opportunities for the child to talk about experiences. In the Essex Roman Catholic school board, we have daily occurrences where there are talking periods or communication periods, sessions for the kids to share, to listen — particularly to listen; most of them want to talk. Most of them, then, are learning the skill of listening and understanding others their own age. That happens daily, more than once daily; it's part of the program that kids need and the opportunity of understanding and appreciating school and learning.

We like to prepare the child to read and the opportunity to introduce a child to the world of books. In our school board, there are ample opportunities for language development to occur in JK. Speaking and listening are your first steps to reading. The daily program is filled with speaking and listening, through the learning centres, through the sharing of talk time. That is a constant every day for those kids. Without that program, that opportunity may not exist at home, it may not exist at a day care, but it certainly exists in our school board. Needless to say, with the sand and the water centres, the development of science and mathematics begins to take place in the child's mind. That again is a daily occurrence in our school board.

Through all that, we also include the arts, particularly creative arts, where the child can experience, through non-verbal ways, creativity. That is also a daily occurrence.

The emphasis I'd like to show you on that is that I listed in my brief that for the last four years about 7% of our total student population was in junior kindergarten. Presently, we have 701 kids enrolled in junior kindergarten, which is almost 9% of our student population. Even

though the board just made the decision in the last two weeks to have JK for one more year, we have 751 kids enrolled in next year's JK program. I think that ought to give people the idea the parents want the program, it's growing at that rate. The only thing that will stop it is if our board makes a decision not to have it next year. They have mentioned that this will now be an annual decision that has to be made.

Needless to say, we're recommending that JK be maintained in the Education Act and funded, with certified teachers. At the end of the presentation, I certainly can entertain questions regarding that.

**1340**

**Mr Meloche:** My fear as an educator is that what we will be going to if JK is eliminated is a two-tier system, where the children of rich people or well-to-do people will become educated at an early age and those who do not have the luxury of being born into a family with wealth will not be.

Turning to adult education, though the proposed cuts in funding will not directly affect the Essex County Roman Catholic Separate School Board, they could very well affect our neighbouring board, the Essex board of education, and the Windsor separate and public boards of education, thereby having a detrimental effect, we feel, on the Windsor-Essex county area. If the adult learners of Essex county and other counties and cities throughout Ontario are limited in their pursuit of an education for financial reasons, it follows that the province of Ontario will indeed suffer needlessly.

With respect to sick leave, I think paragraph 4.02 sums up what I'd like to say. The amendments contained in this section will further affect sick leave accumulation, the portability of sick leave between boards and drastically affect the retirement gratuity provisions contained in our collective agreement. Our board has indicated that the sick leave entitlement contained in our collective agreement since 1969, as of September 1, 1998, will be non-existent under Bill 34.

In 4.05, the government action is seen by the teachers as an attempt to promote contract stripping and is thereby encouraging employer groups to make it a major disruptive issue in bargaining. The past history of Essex County Roman Catholic Separate School Board in negotiations makes this a certainty.

**Mr Dupuis:** I just want to comment on the sick leave. We've just reached a tentative settlement with our board for a two-year period, up to August 1998. The major issue that will be confronting us in September 1998, because our board's put us on notice, is that if the Education Act no longer has sick leave entitlements, then our teachers will have zero sick days starting in September 1998.

That is clearly contract stripping for something that's been in our collective agreement since 1969. Without collective bargaining effecting the change, I don't believe free collective bargaining is in play as promised by the three parties during the election if we have a collective agreement that no longer has an article that we did not collectively bargain away. Our board has put us on notice that is what will occur on September 1, 1998, with this change in the Education Act. So clearly, we're seeing that



as an opportunity indeed for the boards to strip a collective agreement without free collective bargaining.

It was clearly my understanding during the election, at least in the Windsor area, that all three parties agreed that at the exit of the social contract there would be free collective bargaining. We have a chance of losing this article without bargaining it. It's just kind of going to disappear on us.

Somebody mentioned this morning to our general secretary, "Mr Ross, are you proposing strike?" We're not proposing strike, but we're certainly not going to sit back and let people who are averaging six or seven days' illness in a year have no illness days to take. We just can't say, "Well, so be it." Something will have to occur to get redress for the entitlements that are being stripped away by the act and not bargained in collective bargaining, and it is a bargaining item. It's been article 1608 in our collective agreement since 1969 and all of a sudden it won't exist and we had no part in the non-existence of it, except at this forum today. I wanted to make that clear. We've been put on notice by our employer on that.

We certainly recommend that the proposed amendment on sick leave entitlements be withdrawn and let free collective bargaining occur for those boards that have any problems in that area, if that's what the issue is. But we certainly have not abused sick leave, and we've never been accused of abusing sick leave, but it's an opportunity for our board to strip an article in our collective agreement. We're not going to stand by and let it happen.

**Mr Meloche:** Continuing on page 5 of my brief, I will go over equalization payments in a very short manner. The recommendation says it all, that the equalization payment from the boards in a negative-grant situation be mandatory. I cannot envision a board in this situation that will willingly contribute moneys to assessment-poor boards like ours. In theory, that is what is being asked of them; in practice, I can't imagine it happening.

With respect to cooperative agreements, the unit supports cooperative ventures and points out that extensive cooperation exists presently. One flaw that I see in what this government is trying to do, however, is with respect to transportation. As an example, our separate school board, along with the Essex public board, has been sharing arrangements with respect to media centre, computers and so on. But in a large part in transportation in the last five or six years, we have saved millions of dollars in this venture. The problem we have now is that the government is coming along and saying, "You have saved this and economized to the point where it is a very efficient system, but now what more can you do for us?" as opposed to saying: "You've already had these economies; we realize that. We'll leave you alone; you've done your bit." That's not what's happening.

We are talking in these instances of legislative changes. There's another legislative change I would like to bring forward with respect to department heads. I know it does not pertain specifically to Bill 34, but it's a legislative change none the less and one that will drastically affect performance levels at the secondary end of education. This government states very clearly that it wants to maintain quality education. They also are on record as saying that they will not adversely affect what

is taking place in the classroom. In reality, this change takes us as educators in the other direction. Department heads have many tasks: to provide leadership, plan and write curriculum, revise curriculum to meet the ever-changing needs of our students.

They are support personnel. Certainly anyone who is in education understands that it's not the classroom teacher alone who teaches students. They have to have help. That help comes in the form of consultants, co-ordinators. At the high school level, it comes very clearly in the hands of our department heads. They enable secondary school teachers to teach effectively. The system that now has approximately 12 department heads per school will be cut to five or six chairpersons. How can one person have expertise in two areas and lead the charges who are out there trying to teach and educate our young people to the best of their ability? How can this be done when you are now taking a person with expertise in one area and having him cover two or three? I find it educationally unsound to even consider it.

I thank you for your listening and your patience and I believe we are now ready to answer any questions you may have.

**Mr Carroll:** Mine is a very quick question. How long has the Essex county separate school board had junior kindergarten? Does either one of you know?

**Mr Dupuis:** It's been at least six years with my experience in the schools I was involved in, Jack, but there might have been a piloting going on prior to that. But in the schools I have been in, we've had JK at least since about 1989.

**Mr Carroll:** The public board the same length of time, roughly?

**Mr Dupuis:** They both became very competitive in that field about the same time.

**1350**

**Mr Carroll:** Any demonstrable evidence that you can give us that the students who are currently in grades 4 or 5 are a whole lot better than their predecessors because of JK?

**Mr Dupuis:** I can only comment on the areas where in my 30-some years of teaching I've been able to maintain a certain grade level and how kids are better prepared coming into the grade level that I'm working in as compared to when they were prepared when JK was absent. Just looking at the curriculum, say, in the junior areas, where you and I, if I date you with me, in our schooling would have been probably in grade 7 or 8, now we're in grade 4 and 5 areas, in mathematics in particular.

Where did that preparation and opportunity come from? The only thing that's different is the pre-grade-1 years. There's a drastic change in how kids are ready for the junior years. They now have five years of preparation instead of the previous four or three, and I certainly would attest to that in all areas, particularly science and mathematics, which are where my interests lie.

**Mrs Ecker:** Thank you very much for coming today. There was something I wondered if you could clarify. Based on the comment you made on the bottom of page 2 and your subsequent comments verbally about the difference in parenting, you seem to be saying that the only people who are capable of being good, nurturing

parents who can help their children in the early years are those upper-income levels. I find that, if that's indeed what you're saying, a little personally — sorry — offensive, that you would make that distinction about parents based on their income level.

*Interjections.*

**Mrs Ecker:** So Toys R Us equals good parents? I just wondered if you could clarify that statement.

*Interjections.*

**The Vice-Chair:** Come on. Let's have the gentleman answer it. Go ahead, sir.

**Mr Dupuis:** If that's how it was interpreted, I'm sorry. I didn't mean to say that parents who are not well off could not be good parents. What I'm saying is that you're looking at a JK program right now that is open to everyone regardless of who their parents are. If we go to a system of early education where it must be user-friendly, if they have to pay for it in some fashion, I don't believe we are going to be having the children of poorer families involved in taking advantage of a right they should have. I really believe we will not have that because they will not be able to afford it.

**Mr Klees:** With regard to sick leave entitlement, you made reference to the fact that removing the requirement from the act would interfere with free collective bargaining. I think it's important that we clarify that what we are doing is proposing to remove that requirement from the act. That in no way interferes with the collective bargaining you enter into with your board. That is contained in your collective agreement. It should continue to be a matter for you to negotiate with the board. In no way does that affect free collective bargaining. I'd be interested to know why you feel it would.

**Mr Dupuis:** At present, we have 20 days' sick entitlements from our collective agreement. If this law takes effect, we will not have 20 days' sick day entitlements in our collective agreement.

**Mrs Ecker:** No, that's wrong.

**Mr Klees:** Excuse me. The reason you wouldn't have is because you wouldn't negotiate that with your board. In no way does this amendment affect your ability to negotiate that provision with your board. Why do you feel that it would?

**Mr Dupuis:** Very clearly, without your change in the amendment to the Education Act, the language is very clear in our collective agreement that we have 20 days' entitlement. We don't need to negotiate any longer; we negotiated in 1969. What are you suggesting? That we now have to propose 20 days' sick leave entitlements that we've enjoyed for the last 25 years? We did not negotiate it away.

**Mr Crozier:** Rick and Bernie, welcome. Clearly, the majority of educators I've heard from and heard of agree that early childhood education, and specifically JK, is beneficial to our children. You may comment on any discussions you've had with ministry officials, bureaucrats, regarding that issue. Are you confident or are you not very confident, in view of the way the government has put forward these options, that we will make any difference by your appearance here today with regard to JK?

**Mr Dupuis:** I would not have asked for a standing if I hadn't thought this opportunity to address all three

parties wouldn't make a difference. It's important that the JK issue is put out by the professionals, on the research that is out there, on the experiences I have. Whether we change anybody's positions is for next week's newspaper to tell, I guess.

I hope that whatever decision you make, you clearly are making it with the understanding that junior kindergarten is an important element in a child's education. When they do not have the opportunity as four-year-olds, we will pay much more at a later date for the lack of opportunities those kids should have. Whether we change anybody's mind, I don't know.

**Mrs Papatello:** Thank you, gentlemen. I wanted to mention this comment from the government member about removing the sick days from the act and what it would do. In fact, it is stripping the collective bargaining agreements. I'm going to have to say plainly that it's being naïve to suggest that a local board that cannot fund things currently within the Education Act is going to fund items that don't appear in the Education Act. That's why taking that element out then removes it from the table. It's naïve to suggest that it would be anything else, or it's just playing word games to not have to come out publicly and say that is what you're doing, which is, again, a broken promise. You said you weren't going to go attacking collective bargaining, and you've done exactly what the former NDP government did, and that was strip collective bargaining agreements with teachers. That is plainly what it is.

Bernie, I was hoping you could clarify. The last item of your report said, in relation to the sick leave entitlement, "There is no appreciative savings for the province to be found in this amendment." Could you explain why you would say there would be no savings?

**Mr Dupuis:** I'm taking it for granted. If the 20-sick-day entitlement is removed from the Education Act, I don't believe all of a sudden there's a vault of money coming down on the province because of that. I don't see any savings to the province because of that being taken out of the Education Act; I don't see a connection at all to it. Someone can enlighten me on that. I'm going to stand by that. The fact that we have 20 days' entitlement in the Education Act does not make money disappear from the province.

**Mr Patten:** A short question re your proposal to not tamper with junior kindergarten, especially the aspect of maintaining the certified teachers only. Some school boards have come forward and said that to save junior kindergarten one of the only options they would have would be to have junior kindergarten certified teachers but also have some early childhood educators as part of a team and they would take a team approach. That would enable them, they think, to increase their probability of saving the program. What would be your reaction to that?

**Mr Dupuis:** I'm not certain that program would be saved if you were going to be adding staff — and I assume that's what that seems to suggest — or if you're saying you're eliminating the professional and you have someone who has a certificate in charge. I'm not sure that's what we mean by having a teacher teaching the kids. It sounds more like somebody's saying something else here.



**Mr Patten:** Yes. In other words, if you had five or six JK classes, then you would have maybe two certified teachers and you'd work on a team approach?

**Mr Dupuis:** But if you've visited the classrooms — I hope most of you took the opportunity when you were invited — in JK, at least in the Essex county separate school board, we have FSL teachers — the kids are learning French as a second language. That's a certified teacher. There are some special education teachers who are involved for kids. What you're suggesting — is all that disappearing? I think you need a certified teacher to carry out the JK program for the educational values it has. I'm not certain you can replace that with early childhood educators. Particularly, FSL comes to mind clearly as a certified program where no one I know of in the day cares would have French as a second language as part of the program; at least not in the Windsor area anyway.

1400

**Mr Cooke:** Thank you for the presentation. I'd just like to very briefly get back to the comment that Mr Carroll made asking if you had any evidence in your classrooms about the benefits of junior kindergarten. You might have, and perhaps you could supply to Mr Carroll, some of the research that I know your federation centrally has provided us in the past, from Fraser Mustard among many, many others who have documented that every one dollar that's invested in our preschool programs can save us up to \$7 not only in education later on but also in social services. Perhaps you could try to dig out some of that information or legislative research could, since it's been around for a long time, Mr Carroll, and I would have thought that by now, sitting on this committee, you'd be aware of the benefits of those early intervention programs.

**Mrs Ecker:** That's not the question he asked.

**Mr Carroll:** I was asking for a little local input.

**Mr Cooke:** Well, I don't think, as far as I know, that the kids in Essex county, at least the ones in my riding, are any different than the kids in the rest of the province. If they're given the resources, they do as well, and if the resources are taken away, they don't do particularly well.

I wondered if you could help the other members of the committee here as well. Your board has been one of the leaders in the province in terms of programs for special education students, and I know from reading the newspaper clippings that as a result of the cuts that are being made to the boards and the fact that you're very reliant on the general legislative grants, your commercial and industrial assessment is very low and you go from financial crisis to financial crisis because of some of the financial difficulties, that some of those supports for special education students are at risk. I wondered if you could outline some of the programs that exist and some of the possible cuts in that particular area if resources continue to be pulled away.

**Mr Dupuis:** I can speak quite at length on the special education program that you have alluded to. We have what's called a mainstreaming approach to special education where it's important that all children have the opportunities to be with all their peers while they're being educated. That program has been in existence for

probably 12 to 15 years and it's fully supported by the federation locally as an important aspect of education for all kids.

In my own classroom I have 37 students; 15 of them are what we call identified for placement and review and what you call special education. It's important to deal with those kids so that they can feel the same as any other child. That is important, that they're getting the best education available. You do need some support to carry on. One person, particularly myself, cannot be available for 38 kids with 15 having special needs.

I don't know if that program is going to continue the way it is right now. The support staff, I understand, may be aware that cuts are going to have to take place. No question 15 of those kids are going to have less opportunity to learn in the fashion that they can learn if someone takes the time and has the support. I look forward to that program not being cut, but if you're looking for cuts in our school board, I know it's a bit of an expensive program. I guess that has been publicly stated by enough people.

If you look at the eyes of the kids in the classroom who appreciate that they're not isolated in some room somewhere or they're not appreciated as good learners, it's certainly well worth the cost. But I am a bit worried, David, that if there will be massive cuts in our board, that seems to be the one that's been overextended and it probably would be the one they would look at. For the classrooms' sake, that would be detrimental to all our classrooms because all our classrooms are mainstreamed for special education.

**Mr Wildman:** I think you have reason to be concerned in that area because a lot of boards, particularly rural boards, that have had this kind of program in the past with teachers' assistants in the classroom helping with the progress of the children are looking at eliminating the teachers' assistants, or if not eliminating them completely, significantly cutting the number, which then will encourage many parents, if they can afford it, to remove their kids from the program and to take them home, which of course defeats the whole purpose of integration. Either that or the boards will simply move kids into special classrooms with the few special-ed teachers they have to do the job. Do you see that as having a detrimental effect on not only the students themselves who have special needs but the other students?

**Mr Dupuis:** That's clearly what occurs when you have 38 kids in the class and everybody in that classroom has a role to play on the education that happens in that room, there's just as many social skills and learning opportunities for kids who are your regular students because of the other students in the classroom needing special help. I mean, it's a 20-way street. Everybody is in the game. I will fight to the last ounce I have that that program cannot be dropped for the old special education classroom, because all 38 kids will suffer because of that move, not just the 15. I totally agree with that statement you made, that all of us will suffer, including the teacher.

**Mr Wildman:** I must say I'm alarmed by your statement that you have 37 or 38 kids in your classroom, whether or not 15 of them are special-needs students.

**Mr Dupuis:** We are in the separate school system.

**The Vice-Chair:** Thank you very much, gentlemen, for your presentation. We appreciate it very much.

**Mrs Papatello:** Mr Chair, I have a question for the clerk's table, please. Could we have a collection of all the submissions that have been made to date and those that will continue the balance of this week that would itemize all the presentations made and their status on JK specifically and which ones of those in the presentations have itemized the research data that would speak to the necessity of early childhood education? It's just a listing. The same kind of listing was done for us through Bill 26 in terms of positioning. I don't know how many that would be, but there are probably tens of them, if we could just get that from research.

**The Vice-Chair:** That's legislative research, and to a certain extent that's already been done in the summaries that are being presented. But you're asking for something more than that, the way I understand it.

**Mrs Papatello:** At the end of it all I'd like to know that if there are 20 presenters, then all 20 have requested that JK be left as is as opposed to amended, or that 18 of 20 have recommended that. It's just a tally.

**Mr Ted Glenn:** That's it? No attempt to figure out the sources, as you said earlier?

**Mrs Papatello:** No.

**The Vice-Chair:** We'll try to comply with that request, depending upon the workload of our researcher in that area.

#### ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION, KENT COUNTY

**The Vice-Chair:** Next we'll hear from the Ontario Public School Teachers' Federation, Ginn Rawlinson, president of Kent district. Could you identify the other person who's with you?

**Ms Ginn Rawlinson:** I'll let her identify herself, if you don't mind.

**Ms Deborah Slade:** I'm Deborah Slade. I'm the Kent representative for the Ontario Federation of Home and School Associations.

**Ms Rawlinson:** The material that you have as my submission will be read to you verbatim. I just let you know that ahead of time so that you can choose to listen or follow along. I hate to be read to myself, but I'll leave that choice to you.

I appreciate the opportunity to speak to you today regarding Bill 34, the Education Amendment Act. I represent the Ontario public school teachers employed by the Kent County Board of Education, and do so very proudly both on behalf of the board and the teachers, and on their behalf wish to address four areas of concern: junior kindergarten, teacher sick leave, cooperative service delivery, and because I have the opportunity to be here and to be listened to today, I'd also like to briefly address education finance reform.

To begin with junior kindergarten, teachers as well as other of this government's educational experts are convinced of the educational value of the early years and particularly the junior kindergarten programs to Ontario students. Given a stimulating learning environment, the child's fourth year of development is a period of rapid acquisition of interpersonal competencies and language

skills. Most children at this age have an inquisitive mind and are able to explore larger environments and new relationships beyond their home environments, benefits that all children can derive from junior kindergarten.

This additional year prior to kindergarten and grade 1 is even more critical to children who are at risk. As single- and two-parent families struggle with the daily challenge of paying bills and feeding their families, fewer and fewer young children are receiving the kind of attention and learning opportunities that they require to develop mentally, morally and socially. At the same time, this government's escalating cuts to health care, education and social services are leaving greater numbers of children and their families with fewer child care options and support services to meet their individual needs. In September 1995, parents of all races and socioeconomic backgrounds sent more than 110,000 children to junior kindergarten. Since the program has ceased to be mandatory, over 25,000 four-year-olds will have no place to go to school this fall.

1410

Early stimulation and identification are the key components to learning and a successful school career. Children who start school earlier have improved reading, math and language skills, they stay in school longer, have lower incidence of unemployment, teen pregnancy or delinquency and have higher enrolment levels in post-secondary education. This additional year of school also provides teachers with the opportunity to monitor students' progress and to more accurately identify learning and behaviour problems early in the child's school career. With appropriate adjustments to the learning environment, additional resources and, in some cases, referrals for appropriate intervention and specific assistance, learning and behaviour problems can correctly and effectively be remediated.

The Ontario Public School Boards' Association's submission regarding Bill 34 makes the recommendation that the provincial government proceed as quickly as possible with the review of the value of JK and make the results of its study public. Please don't waste more precious time and educational resources on this endeavour. Volumes of existing research are already on the shelves which consistently indicate its pedagogical value and importance, especially for disadvantaged children.

In 1983, Dr Bette Stephenson, Minister of Education, set up the early primary education project. She indicated that research done by her ministry recognized the significance of the early years as critical in setting the stage for future educational success. In 1985, the recommendation of that project was that school boards be required to provide JK programs and that appropriate funding be provided by the province.

In the 1989 throne speech, the Liberal government announced the mandating of half-day JK programs by September 1994 and, in 1994, a \$35-million capital fund was made available for school boards for this purpose.

Section 6 of Bill 34 implements the Common Sense Revolution promise to make JK optional. This policy cannot be guided by concerns for child development or the general health and welfare of children. On September 27, 1995, in its first speech from the throne, this govern-



ment raised its concerns over the fact that too many children can't read, too many children don't have the skills required for today's jobs. High-quality early childhood education programs are proven to be important for later achievement.

If the key focus of this government is to save money, there is no greater investment than junior kindergarten, for it is not only an educationally sound program, it's fiscally responsible. The Perry preschool project is a longitudinal study which has tracked the progress of students who entered the system at age four in 1962. By the time these children were 24 years old, every dollar spent on their program at four years of age had saved \$7 in education, health, social services and the justice system when compared with their peers who had not had the early start. While these results are not immediate cost savings, the current and future impact on the whole of society cannot be ignored.

Millions of tax dollars were spent over the past six years to finance the creation of new JK programs in public schools that had not previously offered the program. That initial and substantial investment of capital has been wasted in those boards that have now foolishly opted out of the program for next year.

Last fall it was rumoured that any funding for JK would be withdrawn for the 1996 school year. The ministry is to be commended for maintaining the per-pupil grant funding for this program and also needs to restore the mandatory requirement for it. I would suggest to you that boards that have cancelled their JK programs for next year have done so as a knee-jerk reaction to the funding cuts, much the same as those who prematurely announced hundreds of layoffs that will not occur.

Under the current funding structure, there are no appreciable savings to be realized by school boards that have elected to remove this program. The cancellation of grade 2 or grade 4 would make about as much sense and save the same amount of money. I urge you to restore some common sense to the reasoning and budget deliberations of trustees across this province and again require them to offer this vital program so critical to the future educational success of Ontario's students.

A second OPSBA recommendation with regard to JK is that this government proceed as quickly as possible with its previously announced review of alternative staffing. To this request I must respond that the high-quality, curriculum-based nature of this most vital program can best be accomplished by a qualified teacher. The student monitoring and early intervention strategies so important in this first year of school must be implemented accurately by those most qualified to perform those duties. Certified teachers are the obvious candidates to be given this responsibility.

I've heard the rationale for appointing early childhood educators to this task. I believe that my 15 years of experience as an early years educator, the ECE courses I've taken and my masters degree in education qualify me to speak very knowledgeably on this issue. I welcome certified early childhood educators into my classroom, and with senior administration in our board I've discussed their addition as teacher assistants to our larger classes. If, however, the possibility of replacing qualified teachers

with early childhood educators is being entertained, I have very significant reservations.

Ontario's day cares are governed by the Day Nurseries Act under a separate ministry other than education. The requirements of this legislation with regard to the preschool environment, were they applied to the school system, would increase our costs enormously. I'm sure that is not this government's intent. To suggest that ECEs would replace teachers is equally foolish. A certified early childhood educator is trained and, according to the act, employed on a ratio of eight four-to-six-year-old students to one certified staff. At an average class size of more than 20 students, what savings can be realized by hiring three ECE grads to staff each JK classroom? If, on the other hand, they are being considered as replacements for qualified teachers on a one-to-one ratio without the necessary salary adjustments, it's nothing short of exploitation of the worst kind, of the women who are ECE certified and of the children in their classrooms.

The determinants for success or failure in life are set in the early years of human development. The work of the Canadian Institute for Advanced Research has linked successful economic development to the early years of a child's life. Today, more than ever, it makes common sense to support quality junior kindergarten programs.

The recommendations I make to you are: first, that you delete section 6 of Bill 34, which makes JK an optional program, and return it to its mandatory status to ensure this early education opportunity for all of Ontario's children and especially for those at risk; the second recommendation is to continue to employ qualified teachers in JK classrooms and abandon any consideration for differentiated staffing of this vital program.

With regard to teachers' sick leave, section 10 of Bill 34 repeals the provision of the Education Act which establishes that teachers shall have access to 20 days of paid sick leave annually and leaves the issue to be negotiated between teachers and their employing boards. Given the current funding climate, teachers are becoming easy targets for school boards desperately seeking a quick fix to their budget woes. Sick leave will be an extremely difficult issue to deal with at the bargaining table; because of the environment in which we work, it must continue to be assured us, as provided in the Education Act.

A comparison of the length of paid sick leave and maximum accumulation of unused sick leave across occupations, both in the public and private sector, demonstrates that teachers' sick leave benefits are comparable to other occupational groups. I am aware of no evidence to suggest that there has been abuse on the part of teachers of this benefit. In fact, Statistics Canada data consistently demonstrates that absenteeism among teachers is comparable with that for the labour force as a whole and significantly lower than for several other groups.

In contrast to most other occupational groups, teachers receive no vacation pay. The fact that schools are closed for two months of the year is not of the teachers' making or, necessarily, their choosing. It's the responsibility of school boards and the ministry to establish the school-year calendar, and radical or innovative changes to it have been rejected by the taxpaying public and parents of the children we serve, not by us. Many of us who are

healthy and still energetic enough at the conclusion of the school year use a portion of the summer to enrol in professional development activities or post-secondary education courses to upgrade our skills and to become more familiar with current changes and educational philosophies.

Teachers also have no access to paid overtime, as do so many other occupational groups, yet across this province we spend hours beyond the instructional day in school-related responsibilities. We voluntarily give of our leisure time to coach young athletes and teams, conduct choir practices and assist students to perform in a variety of academic and extra-curricular activities beyond their regular classroom work, such as concerts and dramatic presentations, oral communication, science fairs, environmental projects, to name just a few of them, yet to my knowledge paid overtime benefits have not been proposed at any bargaining table for teachers' time spent marking assignments, recording student progress, school-based team and staff meetings, regular and unscheduled parent-teacher interviews or report card writing, long-range planning, curriculum-writing — the list goes on and on. There are myriad responsibilities which must be performed outside the instructional day.

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Provision for sick leave and its accumulation must be maintained for teachers. Unlike most occupational groups, except for health care providers, we're constantly at risk of contracting any and every flu bug and cold. Children are sent to school when they are not well, or in their most contagious state, leaving us constantly susceptible and at risk of infection. The common cold may not require a lengthy recuperation time, but the average teacher suffers from more than one of them each school year.

Ontario's teachers are an aging lot, and under unprecedented pressures from numerous sources. They're finding themselves with more serious illnesses and in need of surgical procedures in greater number than ever before, with weeks of recuperation time frequently necessary. Though I've heard much about the non-accumulation of sick leave, I have heard no proposed replacement. Am I to assume that an extended illness or period of recuperation would require a teacher to suffer excessive loss of pay, or even jeopardize their employment? If this is a thinly veiled attack on negotiated retirement severance packages, then show respect for the teachers of this province and for the school boards like mine who have made provision for this, and deal with this issue honestly.

The recommendation I leave you with is that by virtue of the working conditions teachers daily face, the sick leave provisions of the Education Act must be respected and section 10 of Bill 34 deleted.

With regard to cooperative service delivery, I am proud and fortunate to be employed by a board of education whose cooperative service delivery has been recognized as exemplary by the royal commission, by OPSBA and by the ministry. Their model of cooperation has been considered business as usual for the 23 years I've been employed as a teacher in Kent county. Formalized as the Kent Area Administrators' Group in the early 1980s, not only the public and separate school boards but the city, its hospital, local college and some of its busi-

nesses have saved themselves and the taxpayers an estimated \$18 million in the last 13 years, and over \$2 million in 1995 alone.

The residential support for education in Kent is the third-lowest in Ontario, and only half of the province's per-household average. Commercial support for education in Kent is approximately two thirds of the provincial average. We are not a tax-wealthy board. But the potential savings that can be realized through this approach to doing business have been the salvation of the students of Kent county, and its province-wide implementation could save at least the \$1 billion the ministry has begun to remove from other areas of the education system.

Private member's Bill 37, introduced by MPP Bud Wildman, recommends that where two or more boards have the same or part of the same area of jurisdiction, the boards shall "cooperate in the provision, purchase and use of goods and services." These are truly the tax cuts that can be made to reduce education spending by 20% without directly affecting the classroom.

My recommendation to you is that cooperative service delivery, including the purchase of goods and services not directly related to the classroom, shall become mandatory and expected operating practice by school boards in Ontario, and that they report annually on cooperative measures undertaken and their savings. A system of incentives and penalties should be developed to ensure that all school boards cooperate in this manner and are rewarded or penalized accordingly.

As I said, since I have this opportunity, I'd also like to address educational finance reform. I'd like to paint a picture for you to help you understand, not a hypothetical one, but a very real case scenario to demonstrate the need for education finance reform.

The Kent County Board of Education is, as I've said, among the lowest-spending in the province. It employs approximately 500 very dedicated teachers committed to providing the best learning environment for approximately 10,000 students. I'm speaking only of the elementary teachers, for those are the ones I represent and have full knowledge of. Compared to the current operating costs of the wealthiest southern Ontario boards, Kent would have up to \$20 million to spend on elementary education alone, in addition to the portion of its \$95-million annual budget currently allotted for JK through grade 8.

In an ideal world, of course my request to you would be to have Kent programs funded at this same level, though I realize this is an unrealistic request. In reality, our school board has again been forced to raise its mill rate to survive with a barebones budget for this year. Over the past decade, it has been forced to increase local residential taxes in excess of 20% in order to offer a very basic education to its residents.

I have read other briefs presented to this committee and have heard the complaints from my colleagues in Kent and in other areas across the province. Please do not misunderstand me. I am not here to request that you reconsider the cuts being made because we may risk losing our instrumental music, our industrial arts, our math science and technology, swimming or outdoor education programs; they have not existed for decades. Our elementary schools have no noonhour supervisors to



forfeit; that work is done by classroom teachers. We do not fear the loss of support staff, superintendents, supervisors and coordinators of programs, for we would be in a position to hire a whole bunch of them if we could afford to comply with what the minister has set as standard support service requirements.

The so-called fat we have maintained for our parents and elementary students consists of extended French and junior kindergarten. The former is made up of two classes of grade 7 and grade 8 students who have to be taught in some language anyway. The latter has been wisely recognized by our board as being a vital program for future learning success, sustains itself through per-pupil grants, and with savings of less than 1% of its total budget if discontinued, does not warrant, through layoffs, the loss of a number of its newest and most energetic teaching staff.

So where does a board like Kent cut when it's already one of the most efficient and lowest-spending in the province? Let me just say that we have been instrumental in helping the Premier break his election promise. We have nowhere left to cut costs substantial enough to meet the cuts to the grant structure but in the classroom.

Our teachers and trustees have demonstrated great interest and concern over the recently published study from Gainesboro, Tennessee, confirming the academic benefit of small class sizes. Many educators believe they can answer the question posed by the *Toronto Star*: Is "Ontario Losing the Numbers Game?"

During the social contract and now, with the additional cuts imposed by this government, we have no choice but to increase class sizes, for there are few and very limited options for cutting operating costs. On a system basis, we have been forced to increase our class sizes by an average of at least three and as many as five students per grade.

I try to have regular dialogue with our Conservative MPP from Kent. His admission to me was that this government's agenda is only an economic one, and it makes me fear for the educational future of our children and the welfare of my colleagues. Jack has repeatedly told me that "Government should not be responsible for redesigning or designing education, just setting base funding levels." How the two concepts can be separated without tragic consequences escapes me.

It's been my experience that this government and its Minister of Education and Training have little interest in consulting with educational experts who would be in a position to redesign it. Even worse, without any concern for matters other than financial, how can it assure that the systematic removal of financial support will allow boards like ours to continue to offer education of any quality to our province's children?

Let me again refer to the concern of this government, as indicated in its first throne speech, that "too many children can't read" and "too many children don't have the skills required for today's jobs." To continue on the present course with only an economic agenda and without understanding the impact of funding cuts to individual boards such as mine makes me fear that this will become a self-fulfilling prophecy. How can we protect all of our children's futures if we don't provide adequately and equitably for their education today?

I have two recommendations. One is that this government abandon its economics-only agenda — there must be a mechanism for understanding and addressing how current financial restraints are inequitably affecting school boards — and that investigation and implementation of rational and systematic education finance reform take place as soon as possible.

On behalf of the teachers I represent, thank you for allowing me this opportunity for input. I'd be happy to further elaborate upon anything that I've already referred to or answer questions regarding the topics I've presented for your consideration.

**The Vice-Chair:** Thank you very much for your very thorough presentation. Unfortunately, there's very little time left for questions and answers, so there'll just be one question and answer from each caucus.

**Mrs Papatello:** We've always known that the government's agenda is strictly economic when it comes to education, and thus the cuts have been found in the classroom as well as everywhere else, and they simply need to finance one item in particular, and that is the tax cut. I'm surprised that Mr Carroll has actually been quoted repeatedly and publicly saying that the government's agenda is economic only and that government should not be responsible for designing education.

I guess I marvel at that, because, as we know, the government provincially is looking now at curriculum being drawn up at a provincial level. It's our understanding that the ministry officials, the numbers of staff, have moved from about 85 down to 10 people responsible for curriculum setting provincially and that in fact the discussion is about that the regional offices will be closed as well. Who do you think, then, is going to design a provincial curriculum? I don't know how that sits with a government member suggesting that government shouldn't be responsible for it anyway, but the ministry direction is obviously going that way.

1430

**Ms Rawlinson:** I appreciate your comments because I too cannot conceive of a provincial curriculum established by eight people. Without that, it's going to be a curriculum established locally. How then will our children fare with standardized testing? It's another one of those items that I see as inseparable. How can you have one without the other, unless there is truly a need for this government to somehow prove that the teachers of Ontario aren't doing their jobs? That would certainly be accomplished by what you're suggesting.

**Mr Wildman:** I will let Mr Carroll respond directly to your comments in regard to the economic agenda, but I want to raise the question about, I think, the central issue that you've raised, and that is the commitment in the throne speech to deal with what the government perceives as inadequacies in terms of students' preparedness and how that relates to JK.

In the Common Sense Revolution, the government, the then Conservatives campaigning, said that classroom education would be "exempt," that was the term they used, from the cuts. You've said in your brief that's impossible and you point to JK as a place where the cuts will be made by boards but they will not be able really to get much saving out of it. Could you expand on what

your understanding is of why they wouldn't be able to make the savings? A lot of boards seem to be jumping in that direction, which I consider to be penny wise and pound foolish.

**Ms Rawlinson:** It's not even penny wise.

**Mr Wildman:** That's why I'm asking you.

**Ms Rawlinson:** Yes. Within our own board, having done the research, the per-pupil grants are the same for JK as they are for any other program, and under that form of funding, our director has publicly stated that of a \$95-million budget, discontinuation of junior kindergarten would save between \$40,000 and \$120,000. It would also require the exit of more than a dozen new teachers.

What is to be gained by doing that? There is a lot of feeling on the part of taxpayers that JK is a free ride and that parents don't have to do parenting. I don't know; there's something about those who don't have children hating to pay for those who do, which unfortunately is where our society has come to. But there are not appreciable savings to be had, in my opinion, and I'd love to be proved wrong, for any board to discontinue junior kindergarten.

**Mr Wildman:** In my view, you wouldn't be proved wrong, because we'd be spending later.

**Mr Carroll:** Ms Rawlinson, you and I have had several hours of conversations and quite frankly I resent a little bit the spin you've put on the comments we've made. I thought we'd had some good discussions about some things, but I never said that our government only had an economic agenda. I did say that all of the programs, be they health care, education or whatever, are paid for with taxpayers' dollars, and since we've been spending a million of those more an hour than we've been taking in, the number one priority had to be to get our economic house in order. If that becomes only an economic agenda, then I will confess to that.

At the same time, how can you accuse a government that has instituted a College of Teachers to bring about professionalism in the profession, that has instituted an accountability office to raise and to maintain standards, that has instituted a nutrition program for children so they don't go to school hungry and that has instituted —

**Mrs Papatello:** Haven't instituted it yet, Jack.

**Mr Carroll:** I have the floor, thank you.

**The Vice-Chair:** He's got the floor.

**Mr Carroll:** — that has instituted language and speech therapy for preschool people — how can you say the government that has instituted those programs only has an economic agenda?

**Ms Rawlinson:** I suggest to you that some of those programs already exist without any funding from this government within the framework of our school boards. They do in mine.

**Mr Carroll:** The taxpayer is paying for all of them, though.

**Ms Rawlinson:** I beg to differ. The nutrition programs have been funded by the Ontario public school teachers for years.

**Mr Carroll:** Are they all taxpayers?

**Ms Rawlinson:** Well, Jack, if you are going to make fun of me, would you like me to bring the tape that has you saying this government has only an economic agenda?

**Mr Carroll:** Oh, you tape our conversations now. Isn't that interesting?

**Ms Rawlinson:** You were there. You agreed to the taping.

**Mr Carroll:** I'll remember that next time.

**Ms Rawlinson:** I don't wish to discuss issues in that way.

**The Vice-Chair:** There was somebody else from the government side who wanted to speak, but I understood that Mr Carroll wanted to speak even more than the others so I let him have the floor for your side. That's it.

Thank you very much, ladies, for your very interesting presentation.

**Mr Klees:** Mr Chairman, I have a question. I thought if we could make a request of the table, in light of the number of submissions that have referred to the issue of the sick leave benefits being removed from the act and the very severe implications that would have — I believe the last presenter suggested it would require a teacher to suffer excessive loss of pay or even jeopardize their employment, and this has been a recurring theme — I believe it would help this committee in dealing with that issue if we could get details of the long-term disability benefits that are in place for teachers in this province, over and above those 20 sick-day benefits in the act, and how that compares to other professions in the province. I think that would help us.

**The Vice-Chair:** I assume that's a question to Mr Skarica and that he could provide us with the necessary information if it's available.

**Mr Klees:** I think it's a research question, Mr Chair.

**Mr Skarica:** It's in many of the briefs that we have.

**The Vice-Chair:** That's in the briefs, but I think the question is, can we get our legislative researcher to look into that.

#### GERARD CHARETTE

**The Vice-Chair:** Next we have Gerard Charette.

**Mrs Papatello:** A question for the Chair: Because our next presenter has represented the Conservative government in the Windsor area via media interviews etc, is the next presenter representing the Conservative government in his presentation or representing the law firm Wilson, Walker, Hochberg, as the envelope indicates?

**The Vice-Chair:** The next presenter is sitting right here and if he wishes to answer that question, maybe he can do so.

**Ms Ecker:** Excuse me, Mr Chair, on a point of order: I think this is a highly offensive question. We are not in the habit of asking the political loyalty or affiliation of any of the presenters who come here before us, so I think this is highly offensive.

**Mrs Papatello:** Not political; I said Conservative government.

**The Vice-Chair:** Just a minute now. We have a presenter here who is ready to make a presentation. We're cutting into his 30 minutes. If he wishes to address the issues that have been raised, it's up to him. If he doesn't, that's entirely up to him as well.

**Mr Wildman:** I must say I agree, frankly. Every citizen has the right to apply to make a representation to the committee.



**The Vice-Chair:** The only reason I suggested that Mr Charette may want to answer is because he was shaking his head at that point in time and I thought he might want to put something on the record.

**Mr Gerard Charette:** Mr Chairman, these are my own submissions. I have not reviewed them with anyone other than my wife. Frankly, I do apologize for that label. That was a mistake. My secretary, instead of putting a plain white label on it, put a — that has nothing to do, of course, with my submission. I apologize for that error.

**The Vice-Chair:** Welcome to our meeting, sir. You have half an hour for your presentation, and that includes any time for questions and answers. Just commence at any time, sir.

**Mr Charette:** This submission you're about to hear is based upon my earlier submissions given to the Royal Commission on Learning in 1993 and to Mr Tom Wells when he appeared in Windsor on the issue of local school board amalgamations.

At tab 1 of my document book — and I am going to ask you, if it's not too difficult, to work with the document book. I apologize that it's not bound. I taxed my secretary enough. You'll see at tab 1, there's an account in the Windsor Star of the presentations made to the Royal Commission on Learning, and some prominence is given to my comments. I still stand by those comments today, and I want to get into that a little bit more if I may, including my difficulty controlling my weight, which continues on.

I think it's only fair to the listeners that I declare my biases to you today. In that regard, I declare that I'm a married parent of a 16-year-old daughter who goes to one of our county high schools. I have two brothers who teach in the separate school system and one who's a professor of economics. I have a sister who's a mathematics professor in the state of Texas, and my father and my mother founded the first Montessori school in Windsor. Education has always been a hot topic at my home.

1440

I am a fiscal and social conservative.

I am a supporter of the current government. I believe that Mike Harris and the members of the Conservative caucus are doing a great job, and of course I accept that others may have a different opinion.

I am solely responsible for this submission.

I have already mentioned the document book.

Next, on page 3, criticisms about our educational system: I think in many respects our educational system is in difficult shape, and I do mean and intend to criticize it. However, I should make clear that we have excellent people working in the system, and I'm not criticizing the people so much as the system. I just hasten to emphasize that to you, if I may.

The first part of my submission deals on page 1 with the issues of accountability and responsibility. What I draw back to is an article which appeared in Saturday's June 24, 1993 edition of the Windsor Star. The article deals with the fact that Windsor's public schools scored average or lower on national tests undertaken, I think, in 1992-93. My question, a rhetorical one perhaps, is, were the school boards fully responsible for these results and were they even partially or minimally responsible? I quote from the article, and you'll see it's indented:

"Grade 4 pupils in Windsor's public schools scored average or lower on recent national tests. According to the Windsor Board of Education, social and economic status are the biggest reasons for the poor showing....Dr A, head of the public board's psychological services, said that while the students 'did not do as well as expected,' it's not the school system that is failing. Windsor's high unemployment rate is having a definite impact."

Going on: "Educators agree that parents and the public shouldn't fret about the test scores. Results are still in the average range."

Now listen to this, ladies and gentlemen. I'm a lawyer by profession. If a client asks me how my work rates, how do you suppose he would react if I said I was average and showed no sense of shame?

**Mr Cooke:** Let's do some independent testing and try it.

**Mr Charette:** Well, you may. I sit by the phone waiting for calls all day, gentlemen. That's right. I think that's something every one of us has to look at. How do we rate and are we just average?

We read on: "'We feel it is very much a reflection of the current economic situation in the city,' said Mr B, coordinator of the Windsor public board's special education services. 'That's when our city really started to lag economically, which brings stress. When they're living in a stressful family situation, they're not thinking as clearly as they should be. They may not have had the stimulation they should have.'"

If you think back to the Great Depression of the 1930s, and if you were to research the educational results from that period, you would find that our educational system, by and large, produced good results. This was done at a time when poverty was at an all-time high.

As my mother-in-law is fond of telling me, when she went to grade school during the Depression, students had a sense of responsibility and were made to study. Parents and teachers had a sense of responsibility and created the necessary environment, one of moral obligation and respect. They didn't blame the lousy economy.

Continuing on: "Asked if the schools bear any responsibility, he answered, 'I do not believe so. I believe our teachers provide a very adequate program....'"

Two conclusions I draw from that: (1) Our administrators are refusing to take any personal responsibility for poor results; (2) they display "very adequate" as the new standard of excellence.

If our administrators can only provide excellent results in education under ideal circumstances, when there are no economic difficulties, no social problems, and if they have no ability to respond to the current situation, then we might as well consider shutting down the schools.

If I may now, I'd like to look at the word "responsibility." I think it's something we forget. It's a compound word, and each part of the compound bears an important meaning.

"Responsibility," at the top of page 7, is really two words. It's "response" and "ability." It's the ability to respond to a state of affairs. That is what it means, to take and to have response ability.

Our educational administrators are unintentionally correct when they say the schools do not have responsi-

bility for poor academic achievement by our educators. They are correct, although not in the manner intended by them. What they intended to say is that it's not their fault. What I am saying is that by their own admission they have not demonstrated the ability to respond to the academic needs of our children. It is my understanding that when one looks closely at the results of current testing, the same state of affairs exists.

Let me talk about the quality of education a little bit, if I may. At the top of page 8, I refer to tab 2 of my document book, which is taken from the American survey section of the Economist magazine. At tab 2, it recites a talk about educational TV, and it's all about the Jetsons. You can read it for yourself, but this program exposes children to "initiative, family feeling, love of pets; it provides introductory lessons in social responsibility and aerodynamics." That's passed off as education.

What are our educators doing? Let's take a look at tab 3, if you would. This is a press release I picked up a few years back put out by the Phantom of the Opera company directed towards teachers. It cites, "The highly successful Phantom education program" — boy, that's an unintended statement — "which has been offered at Toronto's historic Pantages Theatre" — I don't think they meant what they said, but they're actually correct; let's follow along, please — "has been expanded and revamped to give students the opportunity to learn more about some of the theatrical special effects that they observe on stage during performances of Andrew Lloyd Webber's... 'The Phantom of the Opera.'"

Paragraph two: "Part two is a multi-media experience which will answer some of the questions students have been asking about 'The Phantom of the Opera' over the years. A live host will demonstrate dazzling lighting and smoke effects." Can you imagine a young student going out for a job and telling his would-be employer, "I know a lot about smoke effects"? My Lord, what does this have to do with education?

There's an educational component in everything. Waking up in the morning is educational when you think about it, but the reality is that we're scoring low on the hard sciences, maths and language skills and we've got time to send people to see The Phantom of the Opera.

My daughter just went to Chicago last week. She spent 13 hours on a bus rolling down Interstate 94 to Chicago to learn something about urban geography. When I tell my wife or mother that I'm going to Chicago, she's worried because it can be a dangerous city. Why is my daughter spending 13 hours, two days out of school, on a bus rolling down a highway to go and study urban geography in Chicago? I really don't understand that.

Number 4, please: What our competitors think about our educational system I think is quite important. I work in the automotive industry here in Windsor, and we always keep track of our Japanese competitors.

Tab 4 I think is an excellent survey of the emerging economies of Asia and it really is scary information. I'm going to let you read the bottom of tab 4 because I see my time is running, but the emphasis is this: The four emerging tigers of the Far East, Japan, Korea, China and the new one coming on line, Singapore, are really challenging us. They're here to compete with us on a

global basis, and these people take education very seriously.

Let me go, if I may, to tab 5, which I think really gets to the heart of my presentation. Tab 5 is The Economist's 1992 survey of education, an excellent article, if I might say. At the bottom of page 13 of that survey you will see some interesting words:

"Tigers behind the desk. Nobody can travel in Japan and the newly industrialized countries of the Pacific Rim without being startled by the cult of education.

"In Japan neatly unformed children" — may I respectfully suggest you highlight that — "stride to school at 8 o'clock on Sunday morning.

"In South Korea every other side street has a cramming school....

"All this effort has paid off in spades (not to mention grades). Glance at any league table of educational performance" — that's a comparison table like the American baseball league — "and you will find several Asian countries bunched near the top.

"The achievements of the region are a puzzle to people who think that educational success is a matter of public expenditure." Please highlight that, ladies and gentlemen.

"Even in Japan most of the schools are shabby and ill equipped by comparison to their western equivalents. In many schools in the region the average class size is more than 40."

"In Japan schools cut down on overheads — and impart moral lessons in the bargain — by getting the pupils to do menial tasks such as serving meals and cleaning the school."

These people are not from Jupiter. They are human beings and they have a wonderful focus on education. They approach education with humility and seriously.

1450

Tab 6 deals with a fellow who is perhaps a little controversial, the former Prime Minister of Singapore. These people are much too autocratic, much too authoritarian, there's no question about it, but listen to what this gentleman said. It's at the bottom of page 11.

"In a constituency meeting on February 8, Mr Lee did it again. He warned Singapore against heeding 'liberal sociologists' who ask for a softer, less meritocratic touch in the schools. Look how badly the British have done with that kind of policy, he said, not to mention the Americans" — and I dare say, ladies and gentlemen, Canadians.

"This is the result of 20 years of liberal education, new ideas of education, fulfilment, creativity. You never teach the child, you engage the child. You never discipline the child, you reason with him. The result is a workforce that cannot compete."

I am surprised that this man tipped his hand by giving this strategic information, but that's exactly how they look at us. I know this guy in many respects is not a model, but none the less that's how —

*Interjection.*

**Mr Charette:** That's right, and I do not emulate that, Mr Duncan, but we could get a lot more conservative and a lot tougher without even getting close to these people. I agree with you fully that there is a bad aspect to it, but the reality is, we're competing with these people.



**Mr Cooke:** More conservative than the Reform Party.

**Mr Charette:** No, sir, I do not agree. I think there is something wrong with that man, but the reality is that we are competing with these people.

Specific comments on Bill 34, if I may.

**Mr Preston:** That kid won't throw any more paint on cars.

**Mr Charette:** No, I guess not.

In any event, amalgamation versus joint venturing; the idea of amalgamating school boards is troubling to me. Although there are clearly circumstances in which some boards should be amalgamated, in many cases amalgamation is not the solution. We follow the mirage of economies of scale too frequently.

I like the idea of boards having the authority to enter into joint ventures. This permits school boards to look selectively for opportunities to enjoy economies of scale, and that's why I clearly support that portion of the bill.

Let me tell you a little bit, if I may, about the idea of amalgamation. If you go to tab 7, there's a really interesting article from the Economist magazine that tells about the attempt to break down a monolith, the Los Angeles district school board, which is just a horrendous thing. The basic message I'm trying to give to you is that when we amalgamate school boards, we sometimes produce bigger and more efficient bureaucracies. They are more remote from their clients, and frequently we are looking — let me to back to my submission to get further into that idea, if I may. I apologize for any confusion.

At the top of page 14 I refer to an article from tab 8 which deals with the fall of big business. My submission recites the fact that "for decades firms in almost every business had sought 'economies of scale' — the idea that manufacturing or distributing goods in ever larger volumes lowers costs per unit, so that a firm becomes more efficient as it grows.

"Most managers recognize that expanding a business involves new costs. As they grow, firms may become bureaucratic, inflexible and wasteful. Employees, believing themselves to be mere cogs, are less accountable and harder to motivate.

"But such 'diseconomies' are usually a footnote. They seem more than outweighed by the benefits of bigness.

"The triumphs of mass production early in the century had given birth to most of the giant firms which came to power.... That bigger is better was rarely disputed.

"Until recently, it was even true. The great surprise of the past decade has been that changes which were supposed to make bigger even better have had the opposite effect."

The message here is that bigness is no guarantor of efficiency and economies of scale. It frequently leads to bureaucracies that are less responsive to customers. If we look around the world at our economic landscape, we see the GMs and the IBMs of the world that have gotten so big and bloated that they cannot serve their clients. The same is true, I would submit, of our school boards and school bureaucracies. Making them even bigger quite possibly will lead to even more frightening diseconomies of scale and little, if any, educational profit. That's why I like the idea of the joint venture. It lets people attack things selectively.

Will we ever learn? Just recounting the fact that the average bank merger in the United States did not raise productivity and actually made the combined banks even less profitable — in reality, this is the risk I see with school board mergers.

At the top of page 16: In fact, the worst mergers are those of two struggling businesses, or educational bureaucracies, I would submit, that are looking for ways to merge themselves out of their own problems instead of dealing with those problems head-on. The merger of some educational bureaucracies will only result in an organization that is further from the customer, the teacher, the student, the parents and the taxpayers. It is axiomatic that truly successful mergers involve two different types of organizations. Typically, in the best merger one organization is stronger and more focused than the other.

If you merge two organizations that are both weak and lack vision, the couple arising from the merger will, by definition, be an unhealthy couple. It's a little bit like merging a stroke patient with a patient on kidney dialysis. No matter what you do, you've got an unhealthy couple.

School boards and school bureaucracies must yield to new and simpler forms of management and they must be willing to dismember themselves. We must have smaller schools.

I move now to the last point. If there's one idea that I could help kill in Ontario — one lie I should say — it's that spending money automatically leads to an improvement of service. I would submit to the members of this committee that it's even worse than that: Spending does not improve service. In fact, when you're spending too much, you actually decrease the quality of service. I think Ontario's education system is in that mode right now.

Let me give you a classic example, what I think is just a dynamite example. It's from the Economist American survey of the Kansas City, Missouri, school district. That school district suffered under a 10-year desegregation plan by a United States federal judge who in effect ordered the school district to spend \$1.3 billion. I think this is so critical, I'm going to read directly from the article, if I may.

I'm beginning at the middle column of the first page, right above the picture of the young lady:

"Both in the scope of their programs and in the quality of their physical facilities, Kansas City's schools now match any in the world. An 'agribusiness' high school has two greenhouses and laboratories galore. There is a business and technology high school, an engineering and technology high school, and an 'advanced technology' high school, which boasts 16 areas of specialization, including car repair, garment design, and construction. One high school prepares people for jobs in health care, another for jobs in the military, a third churns out policemen and firemen.

"The range of courses and the variety of teaching methods available is mind-boggling. Two elementary schools use Montessori methods." My parents would be impressed. "Eleven schools concentrate on international studies, and teach foreign languages through 'total immersion.' Eight schools concentrate on maths and science, six on the visual and performing arts, four on

Latin. The schools even have a \$900,000 annual budget to promote themselves on local television."

It goes on, but let's take a look at the dark side of this story. I'm going over to the bottom of the first column on the second page, just below all the graphs: "So far, however, all this lavish expenditure has produced few of the desired results." It cites how white flight has continued and goes on from there.

Continuing on with the next paragraph in the extreme right-hand margin at the bottom:

"Indeed, some key statistics suggest that things have got worse since the spending binge began. Pupils in elementary schools which have not been turned into" so-called "magnet schools regularly outperform pupils in generously funded magnet schools. The rise in expenditure has coincided with a fall in the maths scores of middle-school pupils and a surge in the dropout rate. Moreover, the dropout rate has risen every year, without fail, since the" desegregation "decree was handed down, and now stands at a disgraceful 60%."

Here's the punch line, ladies and gentlemen:

"So far no one has been able to explain these negative correlations between expenditure and performance. Perhaps they reflect the stress of removing children from neighbourhood schools and putting them into unfamiliar surroundings. Perhaps they come from the pressures of a more rigorous syllabus and more intensive competition. But the Kansas City experiment clearly underlines the lack of any simple relationship between spending more money and getting better results."

That's the bottom line.

"To aficionados, this is familiar news. Eric Hanushek, an economist at the University of Rochester in New York state, points out that almost 200 econometric studies have come to the same conclusion. But such studies are too boringly statistical to influence political opinion, as witness the recurrent cry for more spending on public schools. Kansas City is different. The school system is running on an experiment based on every educationalist's daydream, 'What if I could build my own school system, regardless of cost?' and it is coming up with uniformly negative conclusions. Educational reformers should forget about their money-spending schemes and start thinking instead of some more hardheaded ways to raise educational standards."

1500

That, ladies and gentlemen, I submit to you is the exact situation you're in. If you think back to my daughter barrelling down Interstate 94 for two days out of school and if you think back to those young Orientals, who are admittedly in shabby surroundings, they are learning. It's a paradoxical truth, I would submit to you, that the more we increase spending, the poorer our results are going to be.

I know that goes contrary to every experience that anything is ever told us about western economies, but the reality is, the same thing happened in the automotive sector. I listened to all the complaints for years in the early 1980s and late 1970s when the American car companies and tool and die manufacturers were talking about how they couldn't compete with the Japanese, they couldn't do it their way. They cut costs and quality went up — quality went up. If you cut costs, I submit if you

love our children, you will cut costs and we will get better standards.

Ladies and gentlemen, thank you for your patience. That is my submission.

**The Vice-Chair:** Thank you very much, sir. We have time for one short question from each caucus, starting with the NDP.

**Mr Cooke:** Well, Mr Chair, I drew the short straw. Mr Charette, I just have one question for you. If I follow what you're saying, you would definitely be one person who would strongly support making the public education system more accountable and one of the ways of doing that is more province-wide assessment of our students.

**Mr Charette:** Yes, I would support that as a general principle.

**Mr Cooke:** If you support that, and I certainly do, then you would at least criticize the government for one thing, and that is that they have drastically rolled back the amount of province-wide testing that was planned for the province, that was funded for the province. In fact, we're not even going to have our first province-wide test in grade 3 for a bit and then a few more years before we get to grade 6 and then a few more years before we get to grade 9. In fact, grades 6 and 9 aren't even going to be province-wide testing; they're going to be spot-testing of students. So if in fact you believe in the philosophy this government has announced in terms of cuts, and you believe that it's going to produce better results in our school system, why is this government afraid to test those results in our province?

**Mr Charette:** Mr Cooke, I don't speak for the government. I know they intend to establish an office of education quality —

**Mr Cooke:** It's been established. That was established by our government. The legislation was passed. They've rolled back the testing.

**Mr Charette:** Really, you have me at a disadvantage. I wasn't prepared for that question and I accept what you're saying. I think testing can be an important component to determining exactly what's going on in school. I agree with you.

**Mr Skarica:** You bring out an interesting point, sir. If I could just read you the Windsor Board of Education figures with the Windsor Roman Catholic board figures — which school system does your daughter go to?

**Mr Charette:** She's in the county separate.

**Mr Skarica:** Generally throughout the province I think they spent about \$1,000 or less, but in secondary school the Windsor Board of Education spends \$7,780 per student whereas the Windsor Roman Catholic separate board spends \$9,000, which is \$2,000 higher. You're familiar with the area. Would those students in the Windsor separate board be getting a better education than the Windsor board, or the same, or would you equate it?

**Mr Charette:** I can't speak to that with much detail. I guess my basic position is that — look, I grew up in a poor system. I started in literally a two-room schoolhouse. I'm thankful for that because we focused on learning and not on all the frills. That's all I can say. I'm sorry I can't be more specific on the answer. I'm very, very leery of school boards that have high spending; I really am.

**Mr Patten:** Mr Charette, I enjoyed your presentation.



**Mr Charette:** Thank you.

**Mr Patten:** It has some very controversial issues and you come at one thing. I must say that your thesis is: Less money spent will see standards rise. My assumption is you mean if objectively, truly, there is an excess amount of spending, because I don't think you would disagree, and you see it all around you, that children who were exposed to more resources, more opportunities, things that cost, enhance the stimulation of a child for growth and one thing or another — growth and development.

I agree with this, by the way, most of all in your presentation, that is, your issue that bigger bureaucracies are the most expensive and the most wasteful and get away from their mission, if it's child-driven, or student-driven, what have you, in terms of education. I would share the faultiness of the Sweeney report, on which it was based, that you begin with the end result — just cut school boards in half, and this will somehow bring you to a point where you will have more efficient systems. I have not seen that with schools, I haven't seen it with organizations — you refer to IBM and you refer to GM — and I would say the same thing for municipalities, those who propose, "Just take these 11 municipalities from my area, throw them all together and you will have a more efficient municipal administration." So I support your thesis.

**Mr Charette:** No, that's not what I've said. I think some amalgamations are warranted. I'm concerned when we have weak, large, inefficient bureaucracies. But there are definitely some amalgamations I believe are warranted. I don't think there's any question about that.

**Mr Patten:** But question it. In other words, you're saying, "Question it, look at it specifically." Right?

**Mr Charette:** Oh yes, look at it closely; no question. I do question you. I don't accept the point that the more exposure people have — again, think of my daughter who spent 13 hours on Interstate 94. By argument, that was broadening her horizons. She's having a tough time in algebra this year and I would rather have seen two days in school instead of a trip down Interstate 94.

**Mr Patten:** In the long run, she might be more worldly.

**Mr Duncan:** If it took 13 hours to get to Chicago, I think you need a new bus driver.

**Mr Charette:** Well, that's a return trip.

**The Vice-Chair:** It was a slow ride. Thank you very much, Mr Charette. We enjoyed your presentation but we have other people to listen to as well.

**Mr Cooke:** On a point of information or a request for information, Mr Chair: The parliamentary assistant, when he was referring to the per-pupil expenditures for the Windsor separate board and the Windsor public board was clearly wrong, otherwise those two boards would be spending more than the Metropolitan Toronto board. I would not want those numbers to remain on the record, so I would ask that the ministry supply the appropriate numbers for the record.

**Mr Skarica:** I can file the document that I referred to.

**Mr Cooke:** I can assure you we do not spend \$9,000 per student in the Windsor separate school board.

**Mr Skarica:** That's just the figure I've been —

**Mr Cooke:** No way.

**The Vice-Chair:** He'll file the document. We can all take a look at it, then we can make up our own minds after that.

## WINDSOR ROMAN CATHOLIC SEPARATE SCHOOL BOARD

**The Vice-Chair:** Next we have the Windsor Roman Catholic Separate School Board, and making a presentation is Rev Joseph Redican. Welcome, sir.

**Mr Cooke:** Do you spend \$9,000 per student?

**The Vice-Chair:** Just a minute now. I would ask the members of the committee on both sides to keep the sidebars to a minimum so that we can pay attention to the presenter.

**Rev Joseph Redican:** Mr Chair, as an old debater, I don't mind sidebars at all.

**Mrs Ecker:** Don't encourage us. It's a bad practice.

**Father Redican:** By trade I'm a teacher and a high school principal and that's why I don't have any voice today, so you'll have to excuse the gravelly texture of my remarks.

The actual figure that we had for 1994 was \$6,800 roughly per pupil, which is considerably less than the public board, but that's another story and there's some reason that their figures are higher.

The other thing I would like to point out, although it's pretty darned irrelevant, but I know the school that Mr Charette's daughter goes to, I know about that trip. I know the teachers who put it on. One of them has four kids and I'm sure would rather have been at home with his children than on the road with teenagers to Chicago; on top of which, no child is allowed to go from any of the boards in this area on any trip, particularly one out of town to an American city, without the express written permission of the parents. So if that child went on that trip, it was with Mr Charette's permission.

1510

**Mr Cooke:** Or his kid can forge his signature pretty good.

**Father Redican:** I don't know. Some of them are good.

At any rate, in terms of our submission on Bill 34, which is what I believe we were specifically focused on today, the Windsor Roman Catholic Separate School Board believes that some of the amendments to the Education Act contained in Bill 34 are educationally, socially and fiscally regressive. Take, for example, the provision to remove the requirement from school boards that they operate junior kindergarten. Educationally, it flies in the face of numerous studies, including the widely acclaimed Royal Commission on Learning, which told us that effective early childhood education is the single greatest factor that can address learning deficits, especially in children who come from economically deprived backgrounds and/or families where English is not the first language spoken at home. As the principal of an inner-city school, a core city school that has a very large ESL program, I can tell you right now that we encounter these kinds of learning deficits on a regular basis.

The royal commission states, "The evidence we've reviewed of the effectiveness of such programs, combined

with the significant number of households...where positive family responsibilities are not met effectively, tells us that we can't afford not to have them," and by "them" they mean early childhood education programs such as junior kindergarten. As a matter of fact, the royal commission recommended the option for boards of having even earlier childhood education, for as young as age 3.

Despite this and other compelling evidence, the government has seen fit to make optional the offering of junior kindergarten, a move that is certain to exacerbate the growing inequities that will sooner or later threaten the social fabric of our province. Kids who are not given the kind of head start that JK provides become tomorrow's problems in high school and in the court system.

The legislation also exacerbates inequities among school boards. Junior kindergarten is a point of entry into the school system for most children. In many cases, separate school boards have had funding for JK cut but still must find the money for JK or face an enrolment catastrophe because their wealthy coterminous public boards can easily afford to continue to offer the program.

I dare say it's not simply a matter of public and separate; it's a matter of school boards that have commercial-industrial wealth and those who do not. When you set up some sort of permissive system, it seems very progressive in some ways, but in fact what it does is create a competition that is not healthy. It's better to do away with JK entirely or to have it entirely, but to set up this system where some boards must squeeze out of somewhere else to get the money for JK — particularly JK, because it's just so critical. If you get the kids into your schools and into your system in JK, you've got them for the next 12 or 13 years. If you don't get them in JK, then you don't have them for the next 12 or 13 years. It's really a very critical year and not one that can be left to chance.

The effect of this legislation, presented as it is in the current context of inequitable school finance arrangements, increases in competitiveness, makes it even more difficult for poorer separate boards and poor public boards to balance their budgets.

This inequity, the reform of which is seen as the *sine qua non* by the Ontario School Board Reduction Task Force, is also problematic when it comes to another major component of the bill: the provisions to require school boards to take cooperative measures to reduce costs. Until all boards are financed equally, cooperative measures will be problematic at best. For many years, the public board's idea of cooperation has been to design a program or service and then solicit the financial support of its coterminous separate board. In many cases, separate boards have found it more economical to offer the same service or program on its own. Case in point: The Windsor separate school board shared computer services with the Windsor public board, but we discovered that we could actually set up our own program, hire our own staff, get our own equipment and it would be cheaper within two years. The problem is often that the whole notion of cooperation has got to begin at the concept stage, not at the implementation stage.

In order for these cooperative provisions to be effective in the legislation before this committee and eventually the House, the government must first address the issue of

educational finance. It must also carefully monitor the cooperative measures process and sanction those boards which see cooperation as the last rather than the first step in program or service development and implementation.

Returning to the issue of educational finance reform, the bill allows the government to claw back the commercial and industrial tax wealth that some boards enjoy, particularly, I believe, the Toronto school boards and Ottawa-Carleton. However, the actual amounts indicated by the minister to be clawed back in this current fiscal year are a small fraction of the negative grant amount of the boards affected by this provision. In fact, the Sweeney report indicated that as much as \$600 million would eventually come out of the Toronto school boards in terms of the commercial-industrial tax wealth that they have. If I'm not mistaken, the amount that's being clawed back from the Toronto school boards this fiscal year is around \$35 million. I may be off by \$5 million or \$10 million, but what's \$5 million or \$10 million? This, combined with the fact that there is still no comprehensive plan to reform educational finance in this province, gives the impression that the government lacks the political will to deal with root causes and instead prefers to dabble with superficial, cosmetic adjustments to the status quo.

Another provision that will serve to increase inequity is the one to remove teachers' sick days from the act. The effect of this will be to widen the gap between the benefits enjoyed by the employees of rich boards, who can negotiate better benefits, and those of poorer boards, who cannot afford to.

In conclusion, while it is difficult to see how this bill addresses the need for reform, it is easy to see, in my opinion, how it will increase inequities in both educational opportunity and educational finance.

**Mr Skarica:** I just quoted some figures regarding the difference between what the Roman Catholic board spends and the public board spends, and those were total costs, including capital, but your operating costs basically show the same differential. I've been to numerous high schools in the province, both Roman Catholic and public, and I think that same inequity exists throughout most of the province: the Roman Catholic boards have around \$1,000 less per student to spend. I don't see any appreciable difference in the education that the Roman Catholic kids are getting as opposed to the public. It seems to me they're both getting about the same quality of education. Do you agree or not agree? Would you comment on that? I'm not being critical of either system.

**Father Redican:** I understand. I think that to a certain extent what is not shown in the public school figures, for example, is that they tend to run higher-cost tech programs. We do offer a complete range of technological programs in the Catholic high schools, but because, by and large, we took over old composite schools or we were not building large tech facilities, we tended to go more with the generic technological programs, we might have one auto shop in our entire system rather than at several schools. Those are cheaper programs to run. That's one factor.

In terms of the overall criticism that more money does not equal higher quality, there is a point at which that is



true. For instance, in the Windsor separate school board, because of Bill 80, the extension of the separate school system, between 1984 and 1987-88 we opened up three new high schools and the board ran a deficit. That debt had to be paid off, so we had to go through some very severe cutbacks to pay off that debt. There's no question that in doing that we found waste; we found areas that we could cut back and not seriously affect the quality of education being offered to the kids. But there is also an absolute point beyond which you can't do that. If we had to absorb another \$4-million or \$5-million hit next year, for instance, there's no question at all that it would mean fewer supports for kids with learning difficulties, it would mean higher class size and all those kinds of things.

As a former English teacher and history teacher, I can tell you right now that class size makes a difference. If I don't have the time to mark the papers, to grade the kids' writing, to interact with them on a one-to-one basis, that makes a difference as to the kind of improvements they're going to be able to make in basic skills.

Yes, there's dead wood to cut, but at least in some boards, our board being one of them, we don't have much left to prune. If we cut much more, we're going into flesh, not fat.

1520

**Mr Carroll:** Father, I had an opportunity to go out and participate at the opening of the new field house and the new stadium for a new separate high school out in LaSalle-Sandwich. I forget the name of the school right now. It was just recently. They boasted about this incredible track they had which is made of the finest material in the world and they boasted of an NBA-sized, regulation-sized gym. As a taxpayer, I struggle a little bit to hear you talk about, "There's no fat to cut; we're down to the bone," all these things that are important, when we're still building Taj Mahals. Can you explain that?

**Mr Cooke:** The parents raised a lot of that money.

**Mrs Pupatello:** Not one dollar of taxpayers' money. You know that. You asked the school that.

**Mr Carroll:** I've asked Father Redican to answer the question.

**Mrs Pupatello:** You asked the school that too.

**The Vice-Chair:** Okay, just a minute now. Please answer, sir.

**Father Redican:** Are there some cases where there have been perhaps overly generous amounts of money spent in some areas? Yes, I believe that. I'm in a school parts of which are 70 years old. It was redone for \$4.5 million. We've got 1,000 kids functioning quite well there. I mean, yes, we can get along with a lot less in some cases, but if you're talking about fat in the 1990s as opposed to fat in the 1980s, we can't reclaim capital money that we believe could be spent more prudently. That's not an option. But if we start claiming operating expenses out of schools in order to cut our capital deficit, we're in big trouble. We cannot sacrifice the operating of the school. To be honest with you, in terms of our school boards in this area, the separate school boards in this area, there's not a lot of fat to be cut in terms of operating.

**The Vice-Chair:** Mr Klees.

**Mr Wildman:** Jack, did you refuse to participate in the opening of that?

**Mrs Pupatello:** No. He took credit for it, though.

**The Vice-Chair:** Mr Klees has floor.

*Interjections.*

**Mr Klees:** Do we get to put the time back on the clock, Mr Chair?

**The Vice-Chair:** You'll get back all the time.

**Mr Klees:** Thank you. I'd like to just follow up on one point with regard to your comments about the fact that JK is a very important entry into the school system for most children, that that creates a competitive environment between coterminous boards. You indicated that the separate system is therefore in competition with a public board that may have more money and be able to provide that. Our experience is, and the numbers will show at this point in any event, that there are more separate school boards that have chosen to retain JK than public.

**Father Redican:** You bet.

**Mr Klees:** What is driving that? Is it capturing the students as opposed to the need for the program?

**Father Redican:** Absolutely. The fact of the matter is that if a school board is going to function fully and effectively, it needs to have the kids coming to it. In terms of the current legislation and the legislation that's governed separate school boards for 150 years, parents have the option of being separate school supporters, which means that if you don't ask them to exercise that option at the earliest possible moment and they choose not to exercise that, it puts separate schools at an even greater disadvantage, on top of which any access that separate schools have to commercial-industrial pooling, as it's set up right now, is based on the number of residential ratepayers we have. So it's a very, very critical point for separate schools, and sacrifices will be made to offer JK as long as it's a program that's available to kids in the province.

**Mrs Pupatello:** Reverend, it's good to see you. Excuse my smiling, but as you know, those of us who were at the various openings of track houses, field houses, along with the government member — while the government member proudly held the plaque on behalf of the government as though he were taking some kind of credit for having funded the project, it's laughable that he should today suggest that there's only one taxpayer. The reality is that in the —

**Mr Cooke:** You mean he didn't give the same speech then?

**Mrs Pupatello:** No, he gave the same speech as well. But the reality is that in all of those what the government members call "excesses" are in fact fund-raised dollars by parents of all of those school communities.

I don't know if the same is true with your Catholic school board, but certainly in the county Catholic school board, the previous presenter discussed the very basic necessities. We have a school in our county, Sacred Heart. They lack the very basic necessities such as adequate washroom facilities for the number of students that school is now carrying. The board is now plagued with the issue of not enough portables. The portables are multiplying out there. They have one set of washroom facilities in that school — very basic requirements in education.

What concerns me is that the government members put forward some kind of notion that everything is grand in the Taj Mahals of schools in Essex county, and the reality is that we have areas of hugely growing populations, such as LaSalle, where we are not meeting through education ministries the very basic necessities like bathroom facilities. Could you comment on that, please?

**Father Redican:** Our board at present is not in an expanding situation. We are probably holding our own in terms of total number of students, so our accommodation problems are not that grave at this point. But there's no question that everything we build has to be maintained and has to be replaced.

**Mrs Pupatello:** It would be like funding an MRI without giving the operating dollars to fund it, would you say?

**Father Redican:** Right. All of our schools, every building that we have, every desk that we have, have to be replaced every so many years. The minister's decision, for instance, to cut the capital for building costs and that type of thing is okay for a year if it helps to solve a problem. There's nothing the matter with that for a year, but you run into some serious problems if you do that continually over a long period of time.

**Mr Duncan:** Father Redican, one of the more compelling aspects of your brief and one of the ones I found distinct from some of the others we've heard is the notion around inequity that this bill creates, not only between Catholic and public boards but between rich and poor boards. I wonder if you could elaborate on that a bit, your concerns around the issues that deal with inequities between and among boards.

**Father Redican:** Mr Duncan, I was addressing this to the whole committee, of course, but the impression I've gotten from conversing with government members and people in the minister's office was that trying to reduce costs was a very important item on their agenda, and frankly I don't object to that. I don't object to reducing costs, but one way that you do reduce costs is to set up a more equitable situation. If you can eliminate some of the unnecessary competition that goes on, if you can do those things that will not lead to large expenditures of capital in certain areas and that type of thing, then I think that's something that ought to interest all members of the House and both sides of the House. That's why I think the issue of equity is very important.

If we want people to be educated fairly across the province, if we want tax dollars to be spent fairly across the province, then equity's the first thing that has to be addressed. But to be absolutely fair, and I have some sympathy for the government on this, it's going to take a lot of chutzpah to do it. It's going to take a lot of chutzpah because there are going to be some people pretty upset. I could use more colourful language, but they're going to be pretty upset because you're going to be taking dollars out of one place and putting them someplace else. It's a question of whether we as a society have the will to look out for the whole of the province of Ontario or if we're just primarily concerned with making sure that kids in Toronto have a whole lot of money for their educational system. As a former Torontonian and probably future Torontonian, I love to see Toronto have

wonderful things, but as someone who's lived all over the province, I know the needs of the entire province. We can't afford to have one part of the province gobble up all the resources of the rest of the province.

**1530**

**Mr Patten:** Father, you made the point regarding cooperative ventures or consortia efforts to share costs or services, that kind of thing. I want to provide you with the opportunity to elaborate a little bit, because I'm not sure it was necessarily understood. What I understood by what you said was that sometimes you could say "cooperate," but you've got two different systems that are incompatible, and one system, the smaller system, might be the better one to use, but one system doesn't want to back off and change their system. I wonder if you could elaborate a little bit on that, because I think it's a good point.

**Father Redican:** I think what Mr Skarica was saying, for instance, was that the cost differential between the boards indicates that if the separate boards are offering a good-quality program for roughly \$1,000 or \$1,200 a head less across the province, then it seems to me that in terms of how to save money, the separate boards ought to be the ones being consulted. Meanwhile, the public boards are calling for the merger or the abolition of separate boards. It doesn't make a lot of sense when we're the ones that seem to know how to manage money pretty well.

There are two items. One is the compatibility of the two systems. That's a factor, but that's not the only thing. It's how they do business and how we go about cooperation. I know in the bill — I left the bill over there and I couldn't put my finger on the exact provision — there's a provision for reporting on what measures are being taken to cooperate, but is there in that something that analyses it and that there's a sanction to it?

In other words, if a public board or a separate board, whoever, has just paid very superficial lip-service to the cooperative business and they simply say, "We asked the separate board to share in computers, but they wouldn't," period, end of story, did you ask them at the beginning? Was the committee formed when you decided you needed this? Was the consultation begun at the front end of the process rather than the middle or the end of the process? If that's either in the legislation or the regulations or the implementation of it, then it could be fairly effective at bringing about some of the cooperation that everybody wants to see happen, but if it's not, then it's not going to do a darn thing.

**Mr Cooke:** Thanks for the presentation. I just have a couple of questions or comments to make that maybe you can respond to. I agree with a lot of what you're saying, but I have a couple of areas I disagree with, and since we've been agreeing with all the presenters except for our lawyer friend this afternoon, I want to just pick on a couple of areas.

One is that you made a statement a couple of minutes ago that you don't disagree that there can be some cutbacks in how much money is spent, but what we need to do is to distribute that money more fairly. I think it's only fair, though, that you say to everybody that it's easier for you to say that from the Catholic school



system, because if the pie is cut and then redistributed in the way that education finance reform would see, you wouldn't have less, you'd have more, even though the pie was smaller. So that misses the point of the pain it's going to cause in one of the systems.

It's not just Toronto. I remember sitting in the boardroom in the minister's office, and the two people who were in to see me were the trustees' organization for the Catholic system and the Metropolitan Toronto Separate School Board. I asked the Metropolitan Toronto Separate School Board, "Are you in favour of province-wide pooling or just pooling in the region?" and of course they're just interested in pooling in Metropolitan Toronto, because the Metropolitan Toronto Separate School Board is one of the richest boards in the province.

I don't think when we're discussing this really difficult issue of education finance reform — I agree that something needs to be done, but I don't think it's fair to just pass over the surface of it and say, "It's just a matter of fairness," and if you could see the pie being decreased in size, you would support that, when you then missed the next statement saying, "Of course, that means we're going to have a bigger portion of the pie, so it's going to be easy for us." It's going to be tough on them.

**Father Redican:** I don't think the intention is that we would have an even bigger portion of the pie. I think the idea is that overall we would get better control in certain areas of education expenditure. What I think the separate system objects to is a point-by-point decrease. If there are going to be cuts in spending in education, and we're already at if not the bone at least the flesh, then not underestimating the pain that people have to go through, that public boards and enriched boards will have to go through, if we are cut even more, it's the survival of our schools and it's the quality of education of our kids.

**Mr Cooke:** All I ask you to do is keep in mind that there are some difficulties.

**Father Redican:** There are tremendous difficulties.

**Mr Cooke:** Tremendous difficulties, and also keep in mind that coming from the Windsor separate school board, even though we have difficulties in Windsor, the Windsor separate school board is one of the wealthier boards and it is wealthier than a lot of the poorer public school boards.

**Father Redican:** Absolutely.

**Mr Cooke:** I'd also like to talk on cooperative services, because I fundamentally disagree with the argument you've used in your brief here that the only way we can ever have cooperative services is when the two systems are entirely — until the funding system is fixed. I agree that would help it, but in this area of the province, of all the areas of the province, your director has been quite direct about it publicly, saying, "We have an incredibly poor record here in Windsor and Essex on shared services."

You look at the empty schools between Tecumseh and the east end. In your system, in the east end, in Forest Glade, there are empty school spaces, in Tecumseh there's huge overcrowding, and until very recently the Catholic school board and the county said, "We refuse to bus our kids a mile and a half into Forest Glade, because

it's not our board and we'd rather build new schools." So I also think it's absolutely important.

You further the cause of these folks over here cutting billions of dollars out of the system by saying that we're cooperating as much as we can. We're not. That's where money is wasted, and we've got kids in portables in Tecumseh when they could be in classrooms in Forest Glade. How do we justify that?

**Father Redican:** I don't think it's justified at all, and I think what you're going to see happen is greater cooperation as a result in part of legislation like this; not solely but in part. I know when you were minister, Mr Cooke, a lot was done in terms of promoting cooperation, and there was some movement made.

To go back to your other point in terms of redistributing the wealth of boards, it cannot be done precipitously, it cannot be done overnight. When you brought in the localized pooling of commercial-industrial taxes — actually I think it was the Liberal government and it was implemented by your government, but that was over seven years, I believe. Anything that's done has got to be over time. With any sort of cooperative measures, you have to build those kinds of bridges and you put in — well, you know from writing legislation — encouragement, incentives and sanctions in a balance that will result in the kinds of behaviours that you want to have.

I know as a teacher I have the kids for a year, and I start from here and hopefully I end up with them knowing a little bit more at the end, and that's the same way we progress socially. We start with what we've got and we make some changes until it's better, and I think it is getting better, but it's going to take some time.

**The Vice-Chair:** Thank you very much for your presentation and your comments. Very thoughtful.

JANE MERIANO

SUE CAREY

**The Vice-Chair:** Next we have a whole group of people.

**Mrs Jane Meriano:** No, there are just two of us.

**The Vice-Chair:** Maybe you can come forward and introduce yourselves, because I don't know who you are exactly.

**Mrs Meriano:** My name is Jane Meriano, and beside me is Sue Carey. I'm going to speak first and then I'll hand it over to Sue.

Good afternoon. I appreciate the opportunity afforded me by our democratic process to speak publicly to those gathered here today, even though Mr Cooke is leaving. My name is Jane Meriano. I have been involved in adult education with the Windsor public school board since the 1980s.

Yes, I support adult continuing education day school programs, but I wish to note that the grants should be increased to \$7.35 per student-hour as it is in the regular high school program. If this is not viable, school boards should be encouraged to access support from the local community tax base through the mill rate structure to compensate for the shortfall created by the provincial government and the Ministry of Education and Training.

Increased funding is vital to ensure a successful program for adult students.

#### 1540

What do adult students need? Adults need a full range of courses leading to a secondary school diploma accepted by employers, colleges and universities. Adults need experienced, qualified teachers with expertise in teaching adults. Adult students need support services, such as guidance and career counselling, offered by qualified teachers experienced in working with adults. Adult students need co-op programs in partnership with business to provide work experience and access to job markets. Adult students need support materials, such as books, computers, computer software, computer hardware and audiovisual resources, in order to receive a complete education. Adult students need flexible schedules offered by continuing education day school programs to accommodate the shifts and hours worked by adults. Some students work all night and go to school during the day, as many businesses now are running 24 hours. Take, for example, our own casino.

Without sufficient funding for adult continuing education day programs, the Ministry of Education and the government of Ontario is in danger of failing these adult students twice. These students were failed once as teens by not having the appropriate support services to stay in school. Now, as they have matured and resolved to return to high school, they are again failed by having limited access or unavailable access to suitable secondary programs.

Many adults have special needs that cannot be met in regular school programs or through impersonal night school programs. Now these adults need encouragement and support to maintain a healthy self-concept to re-enter and stay in school to complete a graduation diploma so they can become productive members of society, able to secure a job and pay taxes. These adults need qualified, experienced teachers who understand their needs and who can help them fulfil their goals.

Adult students cannot afford access to private educational institutions which charge exorbitant rates and come up short in providing marketable skills. Without marketable job skills or academic qualifications for higher learning, adult students must resort to social assistance and thus become a greater burden on taxpayers for a much longer period of time.

Many boards offer night school programs, but night school programs do not meet the needs of the greater population of adult students. Many night school courses are not accessible to many of the day students. Adults who are single parents and require child care cannot access night school. Adults requiring public transportation find public transportation limited and possibly unsafe during the evening hours. Night school programs offer fewer course selections, more inflexible schedules, few support services and a longer period of time to complete a diploma. As a result, adult-ed students on social assistance will need social assistance for a longer period of time.

This government, by denying full funding to adult education day programs and by passing legislation which will eliminate adult education day programs in secondary

school, will deny access to a quality education to the most vulnerable members in our society. This is not common sense; this is regressive sense.

I urge you to advise the Ontario Conservative caucus to end its discrimination against adult students and I urge the government to increase the funding options for adult continuing day school programs. Discrimination against adults based on age is not acceptable. Increased equitable funding is required to provide the educational support and job skills needed to get most adult students off social assistance and into the workforce.

Lower funding will mean that many adults will be denied skill-based courses. Lower funding will mean that there will not be enough qualified professional staff to do complete individual assessment to properly assign maturity and equivalency credits. Lower funding may hinder appropriate guidance to ensure maximum success in the shortest period of time.

Many students succeed because of co-op programs. These programs do not exist in night school or in under-funded continuing education day school programs. In co-op, students learn job skills and employers have an opportunity to observe prospective employees. Adult students who do well usually receive jobs.

Social services report a high success rate in subsequent employment among graduates of the continuing education day school program. The success is based on the fact that responsibility, self-discipline, self-motivation and the establishment of routines have been successfully internalized by attending continuing adult education day programs.

In conclusion, I urge you to advise the education minister and the cabinet to reconsider your policy of withdrawing support from adult education day programs. Give people hope for the future. Give people faith in the democratic system. Include humanism in your policymaking. Have a hand in breaking the cycle of poverty.

**Mrs Sue Carey:** I'm very pleased that the Legislature committee on social development decided to include the city of Windsor for its hearings on Bill 34. My name is Sue Carey and I'm representing the Ontario Council of Adult Educators, of which I've been a director for the past two years. I am also an experienced adult educator for 14 years with the Windsor Board of Education. I've taught adults for six years and have been program leader at the Adult Learning Centre for the past eight. Therefore, I will address only those sections of Bill 34 that deal with adult ed.

During the past 14 years, I have counselled, guided, taught and encouraged adult students who have dropped back to school. It's impossible to label all adults who return to school with the same negative label of "drop-out," because many return to complete their high school diploma that for whatever reason they did not complete years before, or return to school because their job was lost due to plant closure, or return to school as part of a training plan for workers' comp or Human Resources Development Canada, or return to school to complete the requirements for post-secondary education.

The Windsor Board of Education was one of the first adult daytime credit facilities in the province of Ontario. Since originally set up in the late 1970s, the Windsor



board received continuing education grants. Our model was copied throughout the province as more and more adults returned to school. Our school is still on continuing education grants in 1996.

In recent months, a major problem has developed because the Ministry of Education has adopted the view that if Windsor can operate a successful continuing education facility during the day, so can all other boards in the province. However, no one bothered asking us the advantages and disadvantages of operating this type of a day school on continuing education grants. I was paid by the hour originally back in the early 1980s, and we provided a limited service to the city of Windsor. It was limited in the sense of the number of hours we operated, the type of courses we selected or had, we had no co-op, no guidance, no special ed and it became increasingly clear that such a service needed to be provided.

The Windsor board recognized the needs of the community of Windsor. All of our major employers demand a high school diploma as a minimum requirement for employment in this city, and also for advancement in the company. The Adult Learning Centre grew in size of student population, teaching staff and hours of service. We introduced a shift workers' program to help employees of the three auto plants and their feeder plants. This growth resulted in the need for guidance counsellors. I won't repeat what Jane earlier had to say concerning the needs of the adult learner except to repeat that as taxpayers to the educational system, it would be discrimination to deny them access to all the services provided to children.

1550

The purpose of what I've mentioned previously is to tell you today that the taxpayers of the city have contributed to the running of this very successful program. Our day school credit program does cost money. It's impossible to run any effective, efficient program that meets the needs of the citizens of this province on continuing education grants.

When the Ministry of Education mandated that all adults over the age of 21 could only be educated on continuing education grants, why didn't somebody come down and talk to us? We would have shown you what we were able to do and not do. The teachers earn full salary as of February 1995. The staff are all qualified teachers who just happen to be teaching adults high school credit classes. The Ministry of Education and Training makes us follow its policies, guidelines and curriculum, so why should adults who are taxpayers be denied a chance to complete their education?

It is not common sense for this government to implement major changes to the educational system in regard to adult education without finding out more about what we've been able to do and not do. To implement funding cuts without realizing that our system needs more than \$2,257 per adult is not very wise as far as policy advice goes. Yes, education is costly, but future gains far outweigh today's costs.

It's not common sense for this government to fail the business community by changing funding to adult ed, which has resulted in the cancellation of many adult ed programs throughout the province. Business is constantly telling the educational system to train future employees.

What do you think we've been doing? Workers' comp, HRDC and the adult learning centres throughout Ontario have worked very, very closely to provide business and industry their new employees, whether it's teaching computers, math, history, geography, communications. Through cooperative ed, many of them do get off the system, that funding system, and they find employment, but funding cuts will hinder this form of workfare.

It's not common sense to set up workfare as mandatory for welfare recipients and then deny them the opportunity to be hired full-time because they haven't a high school diploma. If you want people off welfare, then work with the school boards to provide an education and help increase future employment.

I won't quote all the statistics compiled by the Ontario Council of Adult Educators concerning adults who graduated from the various adult programs throughout the province in June, 1995, but a few statistics I'll draw to your attention.

For example, in our graduating class of 375 students, 47% of them are now working; 45% of them are attending some post-secondary or further training program. That represents a rather highly successful rate for the graduates, and that is why workers' comp, HRDC, Futures etc made use of the Adult Learning Centre.

The state of employment of our graduates represents an excellent workfare program already in place. I can praise the success of our program, but that's not the point of mentioning these few statistics: 175 citizens of Windsor are now working in jobs that they could not have applied for without their high school diploma which they gained by coming to our school. Also, 160 graduates are now furthering their education so that they can become taxpayers in the province of Ontario. This success story is repeated throughout the province, and has been for many years. There is no doubt that the success rate is about to plummet as many communities in the province have cancelled their adult programs.

It's not common sense to cut funding, which results in adult education cuts, which will result in an increase in the welfare rolls. In the city of Windsor, workfare will produce jobs that cannot lead to full-time employment because the basic job requirement is a grade 12 diploma. If a person on assistance in Windsor has a high school diploma, they likely are not on welfare to begin with because of the availability of jobs. Since our adult program is in danger of being either cut or cut back, the circle of poverty for many citizens of Windsor will continue. Adult education leads to real jobs.

A quote from the Common Sense Revolution is: "For every life we get back on track we are avoiding future costly programs down the road." That statement is in direct contradiction to the Ministry of Education and Training's cutbacks to adult ed. The motto of the Windsor board and our school is "learning is forever." Ask any adult educator what they feel is the greatest value of adult education, and the answer will be the same. Adult education makes a difference now to help that person become a more productive citizen in the future.

Adult ed's been a success story in the 1990s. To attack what works doesn't make sense. There's no doubt that the provincial deficit must be reduced and that costs must be

reduced in many areas, including the educational sector. Local taxpayers do want to get good value for their dollar, the same as all taxpayers in the province want tax cuts and the deficit reduced. The provincial cuts to education have cut money today but will result in future increase in welfare costs. I am not an economist, but there is no doubt that unless all citizens in this province have full access to the best education available, we will pay dearly in the future.

There is no doubt education will change. On-line education, GED and distance education will become very familiar terms in the near future. However, the drastic cuts and amendments to the Education Act are too much, too quickly. Touring the province now seems a little late. Thousands of adults have already been denied access to education with the cancellation of their programs in their local communities. It's not an option for most adults to attend classes late in the day or in the evenings due to part-time work, or for young mothers especially, it makes sense to attend school during the same hours that your kids do.

I am sure that this government will say that adults are not being denied access to school programs since they are available at night school. This is not common sense to expect a young, single parent to attend night school and it's absurd to suggest that anyone would encourage a single parent to disrupt their family life by going to night school. Many of our students are single parents whose children attend the compensatory schools in the Windsor Board of Education. They constantly remark how they can become role models for their children and can now help their children with their homework. Many of our students have become involved in the school councils now that they have been turned on to learning.

I realize that some sections of Bill 34 have already been amended or changed, in particular, 49.2(2)(c) concerning 20-year-olds. Section 49.2(2)(b) is also very confusing and has been widely interpreted as to what "four years after age 16" means.

I know that the Ontario Council of Adult Educators and the Continuing Education School Boards' Association have made presentations to the ministry. All presentations zero in on the same theme: Pay now or pay later. Learnfare is workfare. The success rate of adult education programs is overwhelming. Adult educators are very flexible in the type of programs and the delivery of these programs, depending on the community. The first reading of Bill 34 at the end of March and subsequent funding announcements since then have caused many boards to take the easy way out: Simply cancel adult ed or junior kindergarten.

Agreeing for the moment that changes need to be made and lower costs are necessary, September 1, 1996, is almost an impossible target to implement these changes so quickly. Three-year-olds and adults are being denied access to the provincial educational system due to costs, not the benefits of the programs. This is not common sense and it is in fact zeroing in on those who need a start.

It is ironic that all of the funding announcements in recent weeks refer to ways to help boards of education transfer from day school grants to continuing education by talking about form 1, form 2 teachers, total special

grants of \$1,400 for 1996 and 1997 and so much money per student on a specific date versus daily attendance for adult ed. The Windsor board set up a program in the late 1970s on continuing education grants and has kept their program as originally intended by the Ministry of Education. We're not eligible for any of these special grants or any different ways to count FTEs and consequently will be receiving actually less money per adult student than most boards of education in the province of Ontario. It doesn't quite make sense, since we were the model to start all this to begin with.

All Ministry of Education announcements in recent weeks state that continuing education programs are business as usual. Tell that to the thousands of adults whose chance for a new start, a chance to break the circle of poverty and a chance for that real job have been eliminated by boards in the province.

In conclusion, this committee should recommend that further consultation with adult educators continue, especially with those involved with the only current continuing education day school program in the province, in order to establish a fair and equitable system throughout the province. This would enable access to all adults who want to return to school. The city of Windsor's model of adult education is being implemented in the province because it was less costly due to the lower grant. Policy advisers should have consulted the Windsor board to discover the advantages and disadvantages.

Adult students and taxpayers deserve the best system possible. Adult education is a necessity, not an optional program.

1600

**Mr Duncan:** Both your presentations focused on, the importance of adult education to helping people get back into the workforce. That is what I would term a more comprehensive, more thoughtful approach to welfare reform. Could you go into that, given your front-line experience with folks who come back for adult education, and the importance of it? I noticed in your statistics that the unemployment rate among graduates seems to go down significantly. Would you view enhanced adult education as an important component of significant welfare reform; that is, reforms that would make the welfare system work better?

**Mrs Meriano:** What do you mean by "enhanced adult" —

**Mr Duncan:** I'm of the view that this strategy is penny wise and pound foolish in terms of its approach to the welfare issue. One of the heroes of the revolution is a fellow named Tommy Thompson, the governor of Wisconsin, who is a neo-conservative like our colleagues opposite but who has advocated broadly and very eloquently for enhanced adult education opportunities.

**Mrs Meriano:** To obtain a job at the Windsor Star stuffing the advertisement flyers in the paper, whether it's Wednesdays or Fridays or whatever day, you need a grade 12 diploma to apply for the job. When our students come back to school and receive a grade 12 diploma, then they're marketable. They can begin to apply for work. Many of them continue and go on to St Clair, to the university, to other areas of learning to increase their chances of getting a job. But when you need grade 12 to stuff flyers, what can you do without it?



**Mrs Carey:** I was just going to say that it's impossible to put dollars and cents value on adult education. You can't do it. It's impossible in the sense that there is not a student who comes to any adult education program who does not take away something. It may not necessarily be a credit, but the point is that they gain something: self-esteem, which we didn't mention, and things like that.

**Mr Duncan:** The people you see genuinely want to get work and they need to have this opportunity in order to get off of public assistance.

**Mrs Carey:** Absolutely.

**Mrs Pupatello:** I just want your general commentary. It's been advanced that potentially the government is after the privatization of this area, adult education, and there have been some reports in our local media about simply having them pay through private institutions to finish their high school diploma. Really, I guess the background of that is the idea that they've already had their chance and they blew it; why should the taxpayer pay to give them another chance at what they could have done on the taxpayers' shoulders the first time? How do you respond to that move to privatize?

**Mrs Meriano:** First of all, a lot of our students don't have the funding to access privatized educational facilities, and secondly, a lot of our students may not have been successful the first time around but it may not have been their fault that they weren't successful. Sometimes there were extenuating family circumstances. Is it not cheaper to educate the person and allow them to get a job and end up paying taxes than keep them on welfare or some type of social assistance for infinity?

**Mr Wildman:** I want to thank you for your presentation. I'd just like to respond for a moment to your sidebar comment when my colleague was leaving. I don't quite get the point of that. He had another appointment he had to —

**Mrs Meriano:** I apologize. It's just that I'm in his riding and I'm sorry he left.

**Mr Wildman:** He's been here with the rest of us for the rest of the presentations today.

Is it possible, do you think, that what the government is about here is to try and force adult students not only into continuing education programs in the evenings but into the college system, and if that is an approach that might be considered, is that practicable, considering the federal government's cuts in that area to high school equivalency programs and the fact that they're not buying nearly as many seats in the college system? I'm just wondering if that's another option that is available to students, or is it not really available?

**Mrs Carey:** I've been in adult ed for a lot of years, so I think I can speak on this one. Over the last 14 years, with the thousands of people who have gone through the doors of our school, probably less than half of them could have gone someplace else to begin with. They would not have been successful; it wouldn't have mattered what the program was, and the agency that sent them often realized that at the time it sent them. Whether it was workers' compensation, whether it was HRDC or whether it was social assistance, they realized that this particular person, for whatever reason, was not able to simply go and take a welding course or to go and take a

course at the college. The thought of walking in the doors of our building —

**Mr Wildman:** Sorry, I was saying high school equivalency programs, that the federal Department of Employment and Immigration used to purchase seats for high school equivalency programs in the college system and now they're cutting back.

**Mrs Carey:** Most of the employers do not recognize the high school equivalency as equal. They don't equate it as being equivalent to a high school diploma. That is one of the reasons why in this particular city the high school diploma became so important, because the employers here decided they wanted the real thing, they didn't want a high school equivalency, with the result that they set up and wanted students to go and get a diploma instead. That generally is what's going on throughout the province.

**Mr Wildman:** The real concern I have is that as you've said, both of you, this really is contradictory to the government's own stated program in terms of getting people back into the workforce and being productive. In fact, it means more people are going to be trapped on welfare.

**Mrs Carey:** Yes. I agree.

**Mr Klees:** Thank you very much for your presentation. I think it's important that it be stated and reaffirmed for you that this government does indeed believe in the importance of adult education. What we are struggling with, as you well know, are some financial realities. We're certainly willing to continue to discuss this issue, to get some additional information, but we are told that this province should be able to deliver adult education at less cost than education for juveniles within the normal system.

One of the reasons, among others, is that we should be able to increase class sizes for adult education. For example, we're dealing with people who are more mature in years, and if you look at colleges or universities, I personally have sat through lectures where we've had 100 and 150 people who, because of their maturity, perhaps have more of an ability to take seriously what's happening. They have a vested interest and so are able to participate in a different environment than younger children.

I think it's important that we make the record clear that we have not eliminated funding. What we're asking the school boards to do is to work with us and to help deliver adult education in a more economic way. I guess what I'm hearing from you is that you're saying that is impossible. You're saying that cannot be done. I'd like to get some information from you as to why you feel we need the same standards for a more mature student than for younger children.

Also, there's one other point I'd like to make and get your thoughts on. What I'm hearing about the employers in Windsor, because that's where we are and your examples are from Windsor — perhaps there needs to be some educating of the workplace here in terms of the grade 12 equivalency. Perhaps there needs to be a little more cooperation and maybe we need to enter into some discussions with the chambers of commerce and so on to address that issue.

You make reference to an employer requiring a grade 12 certificate to stuff envelopes. I've employed people for 25 years in my other life, and I can tell you that when I interview young people I look for skills, I look for abilities, I look for their ability to commit to the task. Whether they have the certificate or not at that point in time isn't the prerequisite for employment. I'd like your comments on those points.

1610

**Mrs Carey:** At our particular school, when you talk about larger classes, because we have been running on continuing education grants, we have had our classes starting at 40 students, in comparison to the normal size in regular high schools. That is one particular thing that we have done, and have done it for many, many years. Our classes are larger; we recognize the maturity level of the student.

The problem is that with continuing education grants, there is usually a cutting of those specialized programs, such as guidance, for a particular, and cooperative education suffers greatly. Cooperative education is a tremendous value for anybody, whether it's a teenager or an adult, because if you worked at a plant for 20 years which then closed and you needed a whole new way of life and you had no idea of what you wanted to do, cooperative education is an excellent way and a new way of doing it.

As far as class size and so on goes, there is a lot of room under continuing education. The problem is the cutting of those specialized services, which really are needed, because the adults require them, just as a teenager does.

**Mr Skarica:** We heard this morning the example of a woman who is now working at the casino who was working for her father and was totally skilled but just didn't have the high school certificate. I don't know if you're aware of it, but the government is implementing a new testing procedure — it's called the general education development testing services program — where people like that don't have to go to day school. They can just write the exams and get their high school certificate. That's starting up in Windsor in September. How many people do you think that could eliminate from your program, people who really don't need the education but need the paper?

**Mrs Carey:** I would guess maybe 10% who could walk in and go and take that.

**Mr Skarica:** That would be a significant saving, 10%.

**Mrs Carey:** Yes, it would. There is no doubt that the GED serves certain adult students very well.

**The Vice-Chair:** Thank you very much, ladies, for your excellent presentation.

#### SELF-RELIANT LEARNING PROGRAM, HALTON COUNTY BOARD OF EDUCATION

**The Vice-Chair:** Now we have our last group for today, the self-reliant learning program, Margaret Daniels, who is the head of the program, and Bill Callen, an adult student. Good afternoon and welcome to our meeting.

**Mrs Margaret Daniels:** As Bill and I represent an adult program, you'll find that we have in our presenta-

tion some of the points made by the previous presenters, but we hope we have enough that is different to keep you alert and awake. I apologize for the incorrect date on the front. I know you've been here since 9 o'clock, but it has not passed over to tomorrow.

**The Vice-Chair:** We never noticed that.

**Mr Wildman:** We've come so far west that we thought we'd crossed the international date line.

**Mrs Daniels:** Mr Chair and members of the committee, thank you for the opportunity to address the committee and comment on the proposed amendments to the Education Act.

My name is Margaret Daniels, and I'm the supervisor of the self-reliant learning program, a part of the adult high school in Halton county, located in Burlington. I began my teaching career 37 years ago, and I will retire this June. With me is Bill Callen, a student in our program who will graduate with a high school diploma in June.

I would like to give you some information about our program, make some suggestions for adult education that we hope would be incorporated into the act and then let Bill tell you his story.

The adult high school in Halton is located in 14 sites around the county and consists of five separate programs: a day school classroom delivery model for adults providing an opportunity for upgrading, retraining and diploma completion; a program for pregnant teens and young mothers that provides them with the opportunity to complete their diploma requirements; an alternative classroom delivery model linked to work placement for those students aged 16 to 24 — that's the Futures program and many of you may be familiar with that; various projects funded in partnership with provincial and federal governments; and an alternative, flexible time delivery model for adults with job or home commitments, labelled self-reliant learning, which provides an opportunity for upgrading, retraining and diploma completion.

The self-reliant learning program began in 1983, and is a flexible program for adults and senior adolescents. The school operates from 8 am until 8:30 pm, allowing the students to complete their 6.5 hours per course per week commitment at any time during this period. Students complete high school credits using materials prepared by our teachers, and with teacher support. We offer courses from grade 10 to OAC level. In addition, because we are located in a vocational high school, our students have had the opportunity to access the technical areas and earn credits in job-oriented courses. Next year, because of the changes in funding, our host school will not be offering technical courses to students 21 and over.

The current decisions of the ministry to reduce funding for students 21 years and older did not cancel adult education, but they certainly have had, in my opinion, a detrimental effect on the operation of existing programs across the province, ranging from outright cancellation to drastically altered delivery models, including capping of enrolment by some boards.

Our own program next year will be staffed with a blend of grid, which are form 1 and form 2 teachers, and form 3 teachers, who are paid hourly for the time they are actually teaching.



Adult students have the same needs as adolescent students. In fact, they may be even more fragile and needy. The intake and assessment process is crucial to their success. They need to have their prior educational achievements accurately assessed by trained and experienced guidance counsellors who can quickly determine the type and number of credits needed to earn a diploma. They need a strong support system to help them deal with the myriad problems they face when returning to school. They need well-designed curriculum with an adult focus to meet their particular needs. They need materials and up-to-date technology to enable them to be prepared for today's workplace. All these needs cannot be met by the reduced amount of continuing education funding.

In contrast, they do not need new or separate facilities and a lot of administrative support. They can be squeezed into available space in existing schools and don't need to have a principal or vice-principal on site to deal with discipline problems or motivational issues. They are highly motivated and determined to reach their goals and get on with their lives. These students have left school for many reasons, reasons that made sense at the time. Perhaps they dropped out to earn money, because of pregnancy or because school was not serving their needs at the time. They deserve another kick at the can. Even the Minister of Education, Mr Snobelen, reported recently that he left school "because I could."

Today's students are staying in school at an ever-increasing rate. They know that education is the key to their future. Older students had no idea when they left school many years ago that they would need the skills and knowledge that are necessary in today's marketplace. They are stunned today when they lose a manufacturing or low-skill job and are unable to compete in the job market. A recent study completed for the Ontario Association of Adult and Continuing Education School Board Administrators of June 1995 graduates of adult programs across the province shows that of 2,133 respondents surveyed in October, 51% were employed, 25% were attending college or university and 9% were involved in other education or training, including apprenticeships. Only 12% were looking for work. These results show an amazing success rate and represent huge numbers of citizens who are off public assistance rolls and have become productive, taxpaying members of our society. It seems obvious that the current practice is working.

1620

The changes to the funding process for those students is having a negative effect on that structure. While it is true that the government has not cancelled adult education, the reduction in funding is indeed having an adverse effect. Many boards have cancelled programs or drastically altered the ability of staff to deliver existing programs. The immediate savings from grant allocations may well be overshadowed by the increase in social assistance costs.

We have some suggestions or recommendations.

Our first suggestion is that the government reconsider its decision and restore full funding to adult education programs. Schools have the facilities, experience and well-trained staff to educate adults at an average cost of about \$7,000 per pupil a year. In contrast, private trainers

will charge upwards of \$12,000 per student for training which does not even include a high school diploma.

Another suggestion would be that the government restore full funding for students up to the age of 24. This would encompass a large group of young adults who potentially could be lost to society and enable them to get back on track and become productive members of our community. There is a necessity to provide programs with a skills focus to meet the needs of these students. This group has the highest rate of unemployment, and we need to provide fully funded adult programs to address this issue.

Failing that, we suggest that the government participate in a pilot study, along with boards offering adult education, to compare a school that is offering programs that are fully funded and staffed by form 1 and form 2 teachers with a school operated with blended staffing, such as our own, and a third program staffed entirely with form 3 or hourly paid teachers.

I would respectfully suggest that members of the committee or indeed all members of the Legislature take some time from their busy schedules to visit an adult education facility in their riding or in the city of Toronto, observe first hand the exciting educational activities taking place and talk to students. Hear their stories, listen to their hopes and dreams, be impressed with their plans for themselves and their families.

At this time I would like to introduce you to one of our graduates, Bill Callen.

**Mr Bill Callen:** Good afternoon, ladies and gentlemen. My name is Bill Callen. I'm a 39-year-old former truck driver and biker from Burlington, Ontario. I would like to speak to you about the value of adult education in today's society, and in particular the positive impact returning to high school has had on my life. I've always been a very physical person, used to working and playing hard. However, after sustaining a serious injury on the job, all that changed. I found myself no longer able to drive a tractor-trailer which, for all intents and purposes, was the only type of work I knew.

After 23 years in the workforce I found myself with the choice of ending up on a pension or on welfare or changing careers completely. Certainly, changing careers and finding a new way to continue to be a productive member of society was the option that most appealed to me. This was not, however, an easy task, as I had to move from a very physical profession to a new career that is entirely sedentary in nature.

Possessing no office skills whatsoever, I realized the only way to accomplish this goal was to upgrade my education. Since I had left school in 1972, having achieved only grade 9, I believed the only way for me to begin this re-education was to earn my high school diploma. Consequently, I began to explore the different ways available for an adult to acquire this education. I then decided that the self-reliant learning program offered at General Brock High School was the program most suited to my needs, which was to earn my diploma in preparation for college in the fall of 1996.

Clearly, the staff at the self-reliant learning program have been instrumental in pointing my life in a whole new direction. During the last year that I have been

enrolled in this program, I received one-on-one career counselling, which has assisted me in choosing the subjects best suited to my new career choice of legal assistant. In addition, I have been given a great deal of personal attention by the teaching staff, all of which has allowed me to learn how to learn again. I have now completed my high school education and have been accepted to the two-year legal assistant/law clerk program at Niagara College. As a result of the time spent earning my high school diploma, I have come to realize the value of adult education and the positive impact it has on the lives of the many adults enrolled in the various programs offered.

Adults who return to high school are learning many new skills that will assist them in becoming employable in today's high-tech world. For example, they're learning new communications skills to help them better meet the demands of the modern business world. Adult students have the opportunity to learn such skills as word processing on computers, which is necessary to produce the error-free, accurate writing modern business demands. Consequently, when adults become better educated and acquire new job skills, they most often end up with better jobs for better pay. The fact is that statistics show that 83% of adults who earn their OSSD go on to further education or better jobs than they held previously. To me, that statistic alone speaks volumes about the value of adult education in our society.

Furthermore, adults returning to high school after many years in the workforce relearn how to open their minds to the learning process. As a result, a boost in self-confidence is also something adults returning to high school often feel. This is extremely important for adults considering post-secondary education and a new career, as they must believe in their ability to learn at the senior level.

This was especially true for me, having left school after completing only grade 9 almost 23 years ago. When I first contemplated going to college, the thought terrified me. Much of this fear was because I really had no idea how school worked nowadays. Certainly I had no study habits developed, no idea what supplies would be needed or how I would fit into the school environment after such a long absence. Now, however, after returning to high school to earn my diploma, I have a new-found confidence in my ability to learn new ideas and technologies.

All this leads me to believe that I can reasonably expect to complete successfully a two-year college program and enter into a new career, all of which seemed an impossible dream only a year ago. I feel I have a much greater chance of success at college now than I would have, had I gone straight to college without the benefit of high school. Undoubtedly, the best preparation for college or university for an adult or teenager is to complete high school. The skills learned at the senior level of high school are extremely valuable skills that will help a person during further schooling and with life in general.

In conclusion, I would like to re-emphasize the positive effect all the self-reliant program teachers and guidance counsellors have had on my life. Unquestionably, returning to high school has allowed me to look forward to a new and rewarding career instead of a life on some form

of government assistance. Thank you for your time, ladies and gentlemen.

**The Vice-Chair:** Thank you very much, sir. I'd certainly like to congratulate you and wish you well in your future endeavours. It's a nice way to end the day's activities.

**Mr Wildman:** Thank you very much. I'd like to echo the Chair's comments.

I appreciate the proposals made by you, Ms Daniels, but I wonder: Obviously, if there were a cutoff of age 24, that wouldn't have met Mr Callen's needs.

**Mrs Daniels:** That's true. We're just trying to make some suggestions to at least help some more people.

**Mr Wildman:** It was suggested earlier today by representatives of the OSTF that the proposal to fund adult education at a different level, particularly with the provision of four years after age 16, was probably age discrimination and could be challenged under the Human Rights Code. Have you had any experience —

**Mrs Daniels:** I've heard that from various presentations. That wasn't necessarily our point in making that suggestion.

**Mr Wildman:** I'd like to ask Mr Callen a question. Beyond the skills and confidence you talked about that you've gained from the upgrading, what did the experience of a day program at the centre give you that has helped you, as you said, change your life? Obviously the confidence and the skills, but is there anything else you could describe as helpful to you as you contemplate going on to post-secondary education?

**Mr Callen:** I would say, beyond the skills and the self-confidence, that it's also given me a greater sense of belonging in the community. I feel more a part of the community; I'm involved with more parts of the community. I've got some time on my hands right now. I'm looking to do some volunteer work for the summer, which is something that had never crossed my mind until I went back to high school.

**Mr Klees:** Thank you for your presentation and congratulations on your successful completion, Mr Callen. I'd be interested in a couple of points. When you completed the course, did you do this during the daytime or did you do it during the evening?

**Mr Callen:** During the day.

**Mr Klees:** That was a convenient time for you.

**Mr Callen:** Yes.

1630

**Mr Klees:** Were there some people who did this strictly in the evening, and are you familiar with what percentage of your students would be taking advantage of the evening hours versus daytime?

**Mrs Daniels:** I would say about half and half. We have all sorts of learning and study patterns. Sometimes we have mothers who can get a babysitter for one whole day, so they come to school maybe just on Tuesday for the whole day. We have people who work shifts. Some weeks they come in the daytime and some weeks they come in the evening. We have people who come after work.

**Mr Klees:** So the flexibility is very important?

**Mrs Daniels:** The flexibility is the key component of our program.



**Mr Klees:** One last question: As you're aware, the decision to cut back on the program or not to have a program lies strictly with the board of education. That's not a decision by the province. Have you or your colleagues had discussions with boards that have taken these decisions and, if so, what kind of reaction are you getting from them? What is their response to your concerns?

**Mrs Daniels:** Our board on several occasions has put into their policy what they considered to be the importance of adult education. We have had a very strong fight over the last couple of months to prevent our board from using entirely form 3 or hourly paid teachers. Blended staffing was the compromise we came up with.

We've made presentations to our board. Bill is a person who presented to the board, so he's an experienced presenter. They always reaffirm their commitment to adult education, but the bottom line is money, and they're not prepared to take from other programs to fund our program.

**Mr Klees:** Do you feel that perhaps a more concerted effort to communicate with the boards and impress on them the importance of these programs is in order?

**Mrs Daniels:** We're sure trying. We've invited our trustees to our school and so on, but I will not stop trying.

**Mr Carroll:** Your reference to hourly paid teachers seems to have a stigma attached to it. Is there something wrong with hourly paid teachers?

**Mrs Daniels:** No. It means that in our program next year we're going to have two classes of teachers side by side. Our board has declared over 100 teachers excess, so presumably those excess teachers, or some of them, will take form 3 jobs, so we'll have a situation where in our program we'll have persons doing virtually the same job they did this year for about 40% of the pay they are earning this year.

**Mr Carroll:** If the program is really important, as you say it is, and I agree with you that it is very important, if all we can afford to fund to teach is these class 3 teachers or hourly rated teachers, isn't that a fine compromise? What's wrong with that?

**Mrs Daniels:** Nothing, except that doesn't allow any scope for guidance services. To serve those students on the per-pupil, per-hour grant that con ed provides, each of our teachers would have to have 40 or 50 students per class, and we don't have a classroom delivery model; we have an individually based delivery model, so there's no time. The teacher is going to become just a marker.

**Mr Carroll:** I don't mean anything offensive by this, but this isn't about protecting teachers at the expense of protecting the program, is it?

**Mrs Daniels:** No. That's why I put in the fact that I am retiring in June.

**Mrs Papatello:** I don't know how amused you might be to hear the comment from one of the government members that it really isn't the provincial government's fault; it's the local board's fault.

**Mrs Daniels:** That's what our board says too.

**Mrs Papatello:** Yes. I think both you and I might give them full marks in terms of marketing strategy, because they make these kinds of legislative changes and then

present them to the public in such a way that the decisions are forced to be local decisions. The reality is that local boards have all these items which are necessities to provide and they have to choose and decide between which necessities they will not provide their students or the public in their area because they don't have the funding and they're not being given that funding by the provincial government.

I've got to say that there are many Conservative members with their heads in the sand. They are being told in their caucus that it is not their fault, so you can't really blame individual members for coming here with absolutely asinine remarks like the ones we've heard today.

**Mr Callen,** I do want to congratulate you, though.

**Mrs Daniels:** That's what our board says too.

**Mrs Helen Johns (Huron):** Please don't speak for us, Sandra.

**Mr Klees:** On a point of order, Mr Chair: I would ask that my honourable colleague withdraw that comment. I don't think it's appropriate. She's certainly entitled to her opinion; we are entitled to ours. I don't think this forum is appropriate for that kind of comment.

**The Vice-Chair:** I don't think there's anything unparliamentary about it.

**Mrs Papatello:** Thank you, Mr Chair. I direct my comments to the —

**The Vice-Chair:** Just a minute now. Are you talking about the fact that she said somebody had their head in the sand? Is that it?

**Mr Klees:** No, no, whether she's entitled to characterize our comments as being asinine.

**The Vice-Chair:** Oh, "asinine." I didn't hear it.

**Mrs Papatello:** I made my point. I don't give a damn what you think about it. It's absolutely ridiculous to say that it's not the provincial government's fault.

**The Vice-Chair:** Will you take back the word "asinine"?

**Mrs Papatello:** Hell, no.

**Mr Wildman:** "Asinine" is quite parliamentary.

**The Vice-Chair:** I take it on higher authority that it is parliamentary, but please restrain your language.

**Mrs Papatello:** Thank you, Mr Chair. I think we've all agreed that the remarks really are just ridiculous in light of the fact that we are faced with significant decisions that have to be made at a local level because the provincial government has done this to us. Their marketing is actually very clever, because the people on the street feel that — letters to the editor: "It's the school boards' fault. Look what they're doing to us." The reality is that the provincial government is legislating these changes and I, for one, will make it my purpose to ensure that people know where the decisions are being made.

Our local adult education people were here today. I know that you were here as well to hear much of their presentation. I wanted to congratulate Mr Callen for his presentation. It takes a lot of nerve, really, to come and speak about your own experience.

Can you tell me, if the government goes forward with their privatization agenda in the area of adult education, would you have had the opportunities you have now?

Could you afford the potential \$12,000 it would take to finish your degree and go on to post-secondary?

**Mr Callen:** Absolutely not.

**Mr Patten:** I want to congratulate you on your presentation as well and witness some courage on your behalf, Bill, to do what you've done.

**Mr Callen:** Thank you.

**Mr Patten:** It seems to me that the essence of your program, or the adult education program versus just courses — you come to a course for an hour or two to learn a specific course — is truly, decidedly different in terms of those who have had difficulty with that system in the past or are facing new learning skills, are facing the requirements for support personally for their confidence, for identifying the skills they need to move along. Then I look at the history of the program itself, which has a terrific record, and I haven't seen anything better, suggested or otherwise.

Would you agree that it is not whether you take this course or that course — it's the skill content and the knowledge content, yes — it's really the personal support and encouragement as a developing person that is making a difference between the two? Both of you, if you would.

**Mrs Daniels:** Certainly. The good thing about our program as well is that students have a certain degree of independence. It's a good preparation for post-secondary education.

**Mr Patten:** I meant the encouragement, the guidance counselling that you referred to, Bill.

**Mr Callen:** I think that's very valuable. A person like myself who's had basically one job, one career for his whole working life and all of a sudden is faced with dramatically changing careers needs to talk to people who can help him go through what's called the choices program, identify skills that you have to get you ready and even make you think. I looked at different jobs that would never even have occurred to me, had I not gone to high school and talked to the guidance counsellors.

**The Vice-Chair:** Thank you very much for your presentation and for staying with us for the day. I'd also like to thank everyone else who has been here for the whole day.

This hearing is adjourned until 9 o'clock tomorrow morning.

*The committee adjourned at 1641.*









## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Laughren, Floyd (Nickel Belt ND)

Munro, Julia (Durham-York PC)

Newman, Dan (Scarborough Centre / -Centre PC)

\*Patten, Richard (Ottawa Centre / -Centre L)

Pettit, Trevor (Hamilton Mountain PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

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**Substitutions present / Membres remplaçants présents:**

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Duncan, Dwight (Windsor-Walkerville L) for Mr Gravelle

Cooke, David S. (Windsor-Riverside ND) for Mr Laughren

Carroll, Jack (Chatham-Kent PC) for Mrs Munro

Beaubien, Marcel (Lambton PC) for Mr Newman

Klees, Frank (York-Mackenzie PC) for Mr Pettit

**Also taking part / Autre participants et participantes:**

Crozier, Bruce (Essex South / -Sud L)

**Clerk / Greffière:** Lynn Mellor

**Staff / Personnel:** Ted Glenn, research officer, Legislative Research Service

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 22 May 1996

# Journal des débats (Hansard)

Mercredi 22 mai 1996

**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Education Amendment Act, 1996

Loi de 1996 modifiant la Loi  
sur l'éducation



Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
Greffière : Lynn Mellor

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Wednesday 22 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Mercredi 22 mai 1996

*The committee met at 0902 in the Delta Ottawa Hotel, Ottawa.*

## EDUCATION AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Consideration of Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

**The Vice-Chair (Mr John Gerretsen):** I wonder if everybody can take their seats so we can get the meeting started. Welcome to the standing committee on social development. My name is John Gerretsen. I am the MPP from Kingston and The Islands. Today we're here to hold public hearings with respect to Bill 34, An Act to amend the Education Act.

For those people who will be making presentations, the presentations are to be half an hour long, no longer than that, and that includes any time for questions and comments that there may be from any of the committee members. On my right are the government members and on my left are the opposition members. Welcome to our hearings.

## OTTAWA BOARD OF EDUCATION

**The Vice-Chair:** I'd first of all like to call upon Linda Hunter, the chairperson of the Ottawa Board of Education. Could you come forward please and take a seat across the table. Good morning and welcome to our hearings. Your brief has been distributed. Could you identify yourself for the purpose of Hansard, please. We look forward to your presentation.

**Ms Linda Hunter:** Good morning. My name is Linda Hunter. I'm chairperson of the Ottawa Board of Education. I would like to also introduce Carola Lane, who is the director of education for our board.

Being first to speak in the Ottawa hearings for the standing committee on social development, I want to thank the Ministry of Education and Training and the government of Ontario for giving us this opportunity. This kind of direct communication is critical if we are to succeed with the task at hand of re-engineering the education system to better fit today's society. As a committee, you'll be making recommendations that will affect not only the education system but indeed the whole of the community that we call Ontario.

As chairperson of one of Ontario's leading boards of education, I want to focus today on our most important responsibility: ensuring the delivery of quality education to all students. Our learners, and indeed society as a

whole, deserve this focus while we all work together to harness the provincial debt. This teamwork approach must come from all sectors: government, elected officials, educators, private citizens and corporations.

My wish is that my comments today will assist the standing committee on social development in providing sound counsel to the Ministry of Education and Training. Let us keep in mind that Bill 34 represents only one way that our education system is being re-engineered to better cope with today's challenging economy. As we update this complex system, we must remain focused on our key role in shaping the learners who will become our community leaders in the not-too-distant future. With these important roles uppermost in our minds today, the OBE's concern is that Bill 34 may limit us to prioritizing fiscal restraints well ahead of practical education objectives.

Like many other school districts in Ontario, we are now facing new realities of delivering education in today's world. The population that we serve has changed drastically during the last decade. The harsh reality for the OBE includes details that do not necessarily come to mind when one thinks of the Peace Tower or the tulip festival.

One out of every seven children in the Ottawa-Carleton area lives in poverty. That equates to 24,000 children who must daily battle the plight of being the underdogs. Nearly 15,000 of those young people reside within the boundaries served by the OBE.

To remain leading providers of education, the OBE has had to develop policies and programs that address the racial-ethnocultural and economic diversities in our community. In addition to English-as-a-second-language programs, some learners coming to us have no education at all and require a more basic service known as English skills development. This service is essential if we are to successfully integrate these learners into Ontario.

While other school boards may claim to have high immigrant populations to serve, closer examination will find that immigrants tend to arrive in downtown areas, take a few years to acclimatize and then, with their new-found feet, relocate to the outlying areas. This being the case, the ESD requirements for inner-city school boards such as the OBE are much greater than for outlying boards.

To ignore these new elements within our learner population is to ignore the end objective of the education system: to provide a place accessible by all where they can better prepare themselves to contribute to society.

Our time together today is limited and important, so with these opening remarks as a stage, let me continue by responding to the amendments to the Education Act as outlined in Bill 34.

Bill 34 proposes that boards of education exercise an option to deliver junior kindergarten. The OBE and many other boards have subsequently kept junior kindergarten in their curricula as testimony to the importance that these organizations place on a positive, strong entry into the school system. Supportive early years in school are critical if our younger children are to overcome the burdens of poverty and family environments that offer varying levels of stability. This stability is of course being threatened in more and more homes as Ontarians struggle with the financial and social realities of today.

The incumbent disabilities from these stress-filled family environments benefit so greatly from early recognition and intervention that it seems illogical to eliminate the junior kindergarten program from the scholastic roster. The effects of such an elimination may not be felt for the first few years, but much research points to the correlation between solid early starts in education and reduced future dependency on society.

Wherever programs such as the Ottawa Board of Education's Children Learning for Living program have been introduced, hostile or aggressive behaviour was reduced, referrals to psychology and social work departments declined and positive rapports emerged between the community, schools and families where they had previously been lacking.

These findings are consistent with research from the Canadian Institute of Advanced Research in Toronto. Their studies confirm what educators have long suspected: Stimulation at an early age is directly related to expanding the potential of children in later years in terms of employability, possessing a self-supporting lifestyle and a lower criminal activity than the general population. Research estimates that for each dollar spent on quality education during a child's initial years in the school system, society saves \$7 in associated costs later in a child's life.

Leaving junior kindergarten open for budget cuts by school boards desperate to trim ever-decreasing budgets is to defer necessary attention to a population segment that could prove costly to support in the future. I am quite concerned that if we fail to provide solid, positive beginnings to the kindergarten students of today, we will only have to pay higher costs to support these children down the road.

Bill 34 seems consistent with the government's current approach to ignore some key social needs and to prioritize budget above all else. The OBE urges the committee to retain junior kindergarten even if adjustments need to be made to the current model to better cope with today's leaner economy. For the Love of Learning noted the importance of positive school influence in the formative years and indicated that introduction of early childhood educators might be one option to assist in reducing costs.

From the young end of the spectrum of students, Bill 34 then moves on to contemplate the older student. The OBE strongly urges the standing committee on social development to leave adult high school as is in the current Education Act.

Adult high school programs must remain open to all who seek improving their chances of being better contributors to our society. Transferring some of these learners

into college or university programs is not feasible because the costs involved cannot be borne by this population. Many adult high school students are on social assistance, and asking them to hand funding from one ministry, the Ministry of Community and Social Services, to another, the Ministry of Education and Training, does not really seem logical.

#### 0910

The OBE program uses staff qualified to provide the specialized support that all high school students require. Continuing education does not offer the counselling that has helped our students to identify areas in which they need support in order to begin the journey of self-improvement. The continuing education model does not offer other necessary supports for these students, such as librarians, child care options and computer technicians.

While on the topic of the adult high school, I'd like to urge the committee to recommend improved communications between the ministry and Ontario school boards. The OBE would appreciate receiving correct information directly from the ministry about, for example, the announcement of the graduation equivalent diploma, or GED, which came out last Friday in the media. That is the equivalent of a secondary high school diploma. We learned of this initiative through the media, and then were sent a press release from the Ontario Public School Boards' Association only after much paper chasing.

We are most interested in being partners in directing the province's education system more efficiently, but to do so requires cooperation from all parties involved. In this particular case, we at our board would like to know which stakeholders have participated in discussions and decisions to date as well as which Ottawa-area education stakeholders will be involved in this fall's pilots.

Looking at the bigger picture of education, the OBE already knows the importance of cooperative arrangements to maximize budgets. We are cooperating with other boards, with municipalities and corporations in areas of purchasing, transportation, energy conservation, media services and education services for developmentally delayed children. Last week, the honourable Minister Snobelen announced the ONE World/Un monde project that sees six local school boards, French and English, public and separate, plus the First Nations Education Authority in northern Ontario, the Keewatinokook Okimakanak, and 10 private corporations collaborating to build a computer network that facilitates cooperative efforts among teachers, students and administrative staffs.

Section 7 of Bill 34, at least from our perspective, is already being done, and I applaud the government for encouraging important partnerships to maximize the benefits from educational budgets. Given today's economy, I anticipate an increase in collaborative agreements so that we can continue to deliver quality programming using qualified staff. However, I believe that more pressure, both positive and negative, would be advantageous to the system to encourage significant cost savings.

In considering budget matters, the OBE is adamant in its stand regarding equalization payments. We are committed to delivering cost-effective education to our learners. We are also committed to responsible representation of our ratepayers and will not facilitate the transfer of local education tax dollars to the province.



Our community was dismayed at the public release by the ministry of the information just prior to March break, as this is not, in our opinion, an example of rapport-building communication. The timing created serious concerns among our staff and our public.

On March 12 we convened a special meeting of our board to address the issue and passed a motion to start direct communication with the ministry stating, "The OBE will not facilitate the transfer of local education taxes to the province." The remainder of the motion is included in the package.

Even as I address this group today, the OBE has not yet been directly informed by the ministry of the phantom \$14-million figure reported in the local paper, or the 5%, nor have we seen any related calculations. If this kind of thing can happen to the OBE, could this same policy then apply to other school boards or perhaps hospitals, or would it pave the way for cities or regional governments being asked to follow suit? Our correspondence of March 12 to the ministry about this equalization payment proposal remains unanswered and unacknowledged to this day.

Strong, clear direction from our ratepayers, local politicians at the city and regional level and businesses confirm our stand that locally collected education tax money must stay in the community from which it comes and, as education leaders, the OBE questions the appropriateness of local education taxes being diverted into the provincial general ledger.

I implore the standing committee to delete this section from Bill 34. Its inclusion suggests sweeping power for the government to direct education tax money away from education. But the use of "may" and "could" is a land mine filled with doubt and lack of clear indicators on which directors of education and their staff can plan budgets and programs. I believe most ratepayers would agree that having their supposed education taxes reallocated elsewhere to non-educational priorities at the whim of the province would be ill received at best. Leaving the Ontario community open for a tap on the shoulder by a provincial government does nothing to encourage the collaboration and team-building approach that is being sought in section 7 of the bill.

The Ottawa board sees itself as an important part of Ontario's education community and as such has a responsibility to ensure the integrity of the system. We must be part of the solutions, but the lack of open, cooperative communication surrounding the equalization payments earlier in the year does nothing to foster the teamwork necessary if we are to successfully re-engineer Ontario's education system.

The four issues addressed in Bill 34 are but one attempt by the government to maximize various aspects of delivering quality education in Ontario. They will all have far-reaching and possibly differing effects on each school board. As education leaders, we must consider holistically what we are trying to accomplish with public education in Ontario. Our classrooms and board buildings and government offices are part of the Ontario society to which we are contributing learners who are in part products of our classrooms and our school communities.

Government initiatives such as Bill 34 are important building blocks that should be helping us to create this

better society. Our children are a precious natural resource that, if we invest in them wisely, will better position Ontario to be a strong player in the global community. Putting a greater emphasis on the bottom line of education now, at the exclusion of wise programming options, will only postpone and augment the problems that we will eventually have to face. As a taxpayer and a parent, I cannot support foolhardy policy changes that could jeopardize the future of my province.

There are a number of financial aspects I could discuss while considering the bigger picture of education, but in respect of time limitations, let me simply say that the time has come for a thorough review of education finances so that they are more fairly based on community needs. We all know that education funding has been tinkered with during the last few years. These Band-Aid approaches are no longer enough in the harsh reality of today's economy and I believe the right time is now for a thorough system tune up. A fair and equitable financial system must allow for unique community needs and be flexible enough to respond to society's changes. The OBE is most interested in participating in any initiatives the ministry may wish to consider to begin that re-engineering process.

In the case of the Ottawa Board of Education, I have included some statistics in the package, but I'd like to take a minute to just give you some of the facts.

The Ottawa Board of Education's cost per student: Our real cost per student is approximately \$7,600, when we take into account the revenue we get from the particular special programs that we offer. I might add that these revenues do not include all transfer students from other boards, as we are still carrying the full financial costs of the McHugh section 27 students, where the average cost per student is over \$10,000.

Using the ministry's definition of administration costs, the OBE spends a mere 3% of our total budget on administration of our board, and these figures fall well within the acceptable levels of Ontario standards. We have streamlined our out-of-classroom expenses significantly and have dropped from 20 to seven senior administration positions between 1970 and 1996. As well, we reduced the number of our trustees from 18 to 10 before the last election.

Fighting the poverty cycle requires an understanding of the importance of a support structure surrounding today's classes. Just as the three Rs are part of today's world in the classroom, so too are the indirect educational services that help prepare our learners to receive our education. Given today's society, we can no longer assume that children arrive at school nourished with food, love and family security, ready to absorb the day's lessons.

#### 0920

I'd like you to consider a few of today's realities. The all-party federal resolution in the House of Commons declared in 1989 to eliminate child poverty in Canada by the year 2000 has not succeeded. In the Ottawa-Carleton area alone, there were 19,000 children living below the poverty line in 1986; 24,000 by 1991. Between 60% and 80% of young offenders have learning disabilities. Violent crimes have increased by 13% in 1993. Without help, more than 50% of students with learning disabilities

drop out of high school. Low socioeconomic status is linked to a number of social problems. The education system has an important role to play in ending violence and improving equality through informing and modelling. These quotes are all referenced in the document.

All of these issues are concerns for the OBE. Our inner-city issues will undoubtedly differ from boards in northern communities as well as from rural boards.

The Ministry of Education and Training, the Ministry of Community and Social Services and taxpayers alike need to keep the big picture in mind, not just as we consider Bill 34, but as we approach any project that will impact the development of society. The OBE's first priority is to its students, its staff and its ratepayers. As one of the largest boards in the province, it also has a social responsibility to contribute to the direction the province is taking with the education system.

In conclusion, I would just like to point out that it matters not whether the funding for quality education for our new social and economic realities comes from the Ministry of Education and Training, the Ministry of Community and Social Services or any other provincial or federal department, our children deserve all that can be supported by the taxpayers and the government to help them succeed in an increasingly complex world. What counts is the children in our school system and the hope that they bring to Canada's future. We must do right by our next generation of leaders.

**The Vice-Chair:** Thank you very much. Before turning it over for questioning, I should welcome today to the committee Mr Guzzo, Mr Newman, Mr Pettit and Mr Rollins, and on the opposition side M. Lalonde — Mr Chiarelli will be here later on — and Mr Martin and Mr Silipo. We have three minutes for questioning per caucus and we'll start with the government side.

**Mr Bruce Smith (Middlesex):** Thank you for your presentation this morning. I certainly found it most interesting and very in-depth.

Perhaps a philosophical question, if I might — yesterday, when we were in Windsor, we received a presentation from a representative from the separate school board. In part, he addressed some of the issues that you have with respect to equalization payments and negative grant boards. From a philosophical perspective, I think, in fairness to that presenter, he understood the position that Metro and Ottawa would find themselves in, but at the same time it begs the question of how we address some of the overall educational requirements and societal demands you have raised in your presentation. As you have indicated, you want to be a part of the solution to education reform. How would you envision that unfolding and how in the interim would you address those inconsistencies or areas that currently are lacking in other jurisdictions?

**Ms Hunter:** I'd like to address that in two ways. First of all, I would like to remind you that the Ottawa area continues to pay both provincial income taxes and provincial sales taxes. Those are part of the base that are used to fund other educational boards across the province. So in fact, we are contributing to education across the province through that payment and none of those dollars

come back to us because we don't get any grants from the province. I think we need to understand that.

In terms of overall education finance, and the reason I raised it today, I think we need to step back and look at the overall picture. We need to be able to recognize that there are differences in program needs, there are differences in community needs, and address it as a whole. What we have tried to do in the past, I think, is sort of pick around the edges. We have tried to tinker with education finance and I think we need to take an overall look and reform the overall system.

I think it would be too simplistic to suggest that we could have one cost per student or grant per student that would be equal everywhere. Needs are different. Northern boards, rural boards, we all have our special needs. Inner-city boards have special needs. I would like to make sure that when that review is done, we as a whole are part of that solution and that it allows for the differences in communities and is flexible enough to allow for changes to be made.

**Mr Smith:** You made reference to appropriate timing for a system tune up. In your opinion, what time frames are we looking at to achieve the goal you're speaking of?

**Ms Hunter:** I think that's something that should have been started yesterday, to be quite honest. I think it's something we need to work on an ongoing basis. But we do need to plan how to do that and we need to get on with the job quickly. It's not something we can take many years to do. The system won't take that.

**Mr Toni Skarica (Wentworth North):** Thank you very much for your presentation. I'm the parliamentary assistant to the minister and I'll take your comments back as to the communication problems you've been experiencing.

Dealing with education finance reform, we've been now in a number of centres in the province and we're hearing the same thing everywhere we go: There needs to be education finance reform. Interestingly enough, we were yesterday in Windsor and we had some of the teachers' associations affiliates. Two of them, one from Essex and one from Windsor, both indicate that they felt the equalization payment from the board in a negative grant situation should be mandatory, so you're lucky they're not sitting here as opposed to us.

**Ms Hunter:** Our ratepayers don't agree. They've spoken out very loudly.

**Mr Skarica:** Obviously, whatever education finance reform takes place, some boards are going to be winners, some are going to be losers. That's inevitable, if I can use that term. How would you propose that the boards that are going to get less money under education finance reform than present then cope with the reduced fees? Some of the boards have told us they're operating at \$4,000 to \$5,000 a student, which is substantially less than what you're operating at.

**Ms Hunter:** I'd like to address that very directly because I think one of the problems with education finance reform and the whole issue is all these definitions. Because our board operates many high-cost programs, those costs per student are directly attributed to our board. The costs that other boards pay in buying that service from us is not attributable to that sending board.



I think we need to understand that. That definition needs to be changed.

Going back to your direct question, all boards in Ontario today are struggling with financial realities. It's not easy. We put different priorities on things based on our community needs. I can't answer for particular boards of education. I know how we've dealt with it. We've cut over \$20 million this year. It's been very difficult. Last night we spent the whole evening at a board meeting, and I left at 12:30. We looked at all the human resource implications in our board. We're looking at changing transportation, so that will affect some kids' ability to get to schools of their choice.

It's not easy anywhere. I think the quicker we get on to the whole idea of education finance reform the better. I don't see any reason why we can't start that right away. I think that's the real answer. To keep boards and the province tinkering around the edges of education finance is only doing that. We need to address the whole problem, and quickly.

**Mr Richard Patten (Ottawa Centre):** Good morning and welcome to the hearings. I appreciate your decorum and politeness.

**Ms Hunter:** The boardroom didn't say it that way.

**Mr Patten:** As we start going around the province, one of the things this bill has tended to do is be divisive, in creating senses of resentment, senses of, "This board gets more than we do" etc, and it flushes out that kind of reaction. I know from personal contact that the ministry or the minister's office have not been in negotiations with you and still continue to talk about the equalization payments.

There's a report out of the Ottawa Citizen which says: "The Ottawa Board of Education will be forced to hand over property taxes to the province, if not by legislation, then by other means," education minister John Snobelen said Wednesday. He also said that if the trustees cooperate now, the board stands a better chance of receiving provincial assistance in the future." Does that intimidate you?

**Ms Hunter:** All I can respond is, we read that in the media as well and the minister hasn't said that to us. In terms of being intimidated, again, I will only respond, we are representing our ratepayers. Our ratepayers have said very clearly that we are not prepared to facilitate the transfer of locally collected education dollars to the general ledger fund in the province. We are representing our ratepayers in that sense.

Again, I would like to point out that not only have they not talked to us, they haven't even been in contact with us about this particular issue, and I think we need to remember that.

**Mr Patten:** I hope they would do that soon.

**Ms Hunter:** I'm not sure.

0930

**Mr Patten:** To at least sort out the problem, because I think it's unfair, given the circumstances and the nature of the funding arrangement that's there now, I'd like to ask you the most important question, and that is, what is the impact of this legislation or the cutbacks that have taken and will be taking place, the impact on the system as a whole?

**Ms Hunter:** In terms of kindergarten, our particular board had some difficult debates around that program issue. We are looking at trying to find alternatives to junior kindergarten. We have proposed a pilot project which would combine teachers and early childhood educators in the classroom. There's no question there's a lot of push, especially when the direction comes from the provincial government, that it is an optional program. It's unfortunate because I think everyone, even the proponents of reducing junior kindergarten, feel it's absolutely essential for many children in today's society. Unfortunately, by cutting it out of the education system, the very kids who need it may not have access to it.

**Mr Patten:** What's the likelihood of the impact on class sizes?

**Ms Hunter:** With this particular bill, in our board, nothing directly. However, in terms of overall education finance and the reduction we've been required to make because of the decreasing revenues, it's going to be substantial. We're looking at less support for special-needs students, for ESL and ESD students, and we're looking at larger class sizes across the system. At the secondary level, we're looking at not being able to provide some of the programs that have made our education system what it is. Some of our secondary classes don't have high numbers of enrolment, in the areas of languages and the arts in particular. That's going to change the education system from being something that educates the whole child to something that just provides training for the future.

**Mr Tony Silipo (Dovercourt):** Thank you very much for the presentation. There are a number of things I'd like to get into, but time won't allow. I want to focus in a little on this question of what are called "equalization payments" and what you have correctly pointed out is simply the use of property tax dollars from, in this case, Ottawa to go to the provincial coffers.

I'm flabbergasted by the fact that there has been no contact with your board on this. I suggest that Mr Skarica, when he takes back the information, might also be interested in giving those folks in Windsor projections for the next five years, because that might show that they won't be as enthusiastic about this idea if they realize they're not that far from being next in line, because that's one of the things we've seen around this. Right now it's Toronto and Ottawa, but the reality is that this is going to start to take property tax dollars from a number of jurisdictions over the next number of years.

**Ms Hunter:** That's correct, and as you point out, given the way education finance has been played around with in the past year or so, there are many other boards that are much closer to becoming negative grant boards. Over the next few years, we would expect there would be a lot more in that circumstance. As well, as I said before, it's not just boards that this could happen to; this could happen to any other level of local government, city or region — even hospital boards, for example — and these are locally collected dollars for the specific purpose of education.

**Mr Silipo:** Are you aware that, certainly in the information the committee members have been given, the figures do appear for Toronto and Ottawa, but what also

appears is a notation that says the ministry has already taken into account in its grant calculations for this year that this money will be coming from Ottawa and Toronto to the ministry? If not, it means that then, they say, other boards will have to bear those cuts. That's again, it seems to me, part of this playing off one board against another and one community against another.

**Ms Hunter:** Yes, I agree. A couple of people here have raised that issue. One of the things we have to remember is that we're all part of the education community. That's why I wanted to speak today about how important I think it is that we work together. We have differences, we won't always agree, but in the end, if we remember we're in it for the student, to provide the best education possible, whether it's French or English, public or separate — that's what it's all about — we have to find that way to work together. I think there are ways to do good education finance reform.

**Mr Tony Martin (Sault Ste Marie):** You certainly present an excellent brief here and paint a very clear picture of some of the challenges facing the school system in the next little while. One of the things I wanted to point to and ask your response to is a reference you made in a number of places in your brief to the issue of poverty and children and the fact that we have to keep every change we make in education within the context of the overall impact of changes that are being made.

As you know, one of the first things this government did when it came to power was take almost 22% out of the pockets of the poorest families among us. Some 50% of people dependent on social assistance are children, or close to that, in this province. That, plus the diminishing of services for people in communities struggling with various challenges, is going to have a very direct impact on the school system and the programs it needs to deliver and all that. Could you be a bit more specific in terms of the impact it will have on your board? You gave us some numbers and you spoke to the numbers that now are out there re the question of child poverty, what this government has done by way of diminishing the resources to poor families and the education system. Is there a connection?

**Ms Hunter:** The first thing I would like to say, and I think it is in my brief, is that I believe we must find a way to deal with the provincial debt; there's no question. When we're dealing with children, this is their future, so we have to find a way to deal with that. However, I also believe we have to be very careful about the young people in our society. There are more and more children, certainly, who are becoming poor; there are more and more children who are socially disadvantaged. That's happening mainly because of today's economic and social realities. It's not just people in social housing; it's many of the more affluent neighbourhoods where people are losing their jobs on a regular basis. This is happening across society.

What we've tried to do in our board is put in programs that address those issues for children who are disadvantaged. We have a program called Focus on Future Schools, which is specifically designated to schools where there is a high proportion of socially disadvantaged children. We have a program called Children Learning

for Living, which is a preventive mental health kind of program, and I've put information in our brochure on that.

The problem is that these are the first kinds of programs to disappear in an education system. When you're looking at tough budget decisions, everyone says, "Let's maintain the classroom." But by maintaining the classroom, in many cases it's looked at as being the classroom teacher. That's one part of the whole picture. You have to have the supports for these children, and you have to have the supports for the family, not just in the education system but in the community. I think it's important that we remember that and are able to maintain those supports.

To me, one of the problems we've had is that we keep saying, "This is the education system." It's more than the education system. To me, it's not important whether the dollars come from the education pot or the community and social services pot or somewhere else. In the end, it's the same taxpayer. In the end, we need to find a way to make sure that these children have a good start in life, that they have a chance of success. We have to remember they're going to be supporting us in our old age.

**The Vice-Chair:** We'll have to leave it at that. Thank you very much for your presentation.

**Ms Hunter:** Thank you very much, and I would be pleased to talk with any of you if you'd like to talk off line about any of these issues directly.

#### WOMEN TEACHERS' ASSOCIATION OF OTTAWA ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION

**The Vice-Chair:** I'd next like to call upon Alia Kent, the president of the Women Teachers' Association of Ottawa, if you'd like to come forward, please.

**Mrs Alia Kent:** Good morning. My name is Alia Kent and I am the president of the Women Teachers' Association of Ottawa. I represent over 1,100 women elementary teachers. Thank you for allowing me the opportunity to make a presentation. I will focus on two issues from Bill 34: the junior kindergarten option and the elimination of the legislated provision of the 20 days' sick leave per year.

We acknowledge that the tremendous debt load is not a debatable issue. As responsible citizens of this province, we are obligated to leave a financially sound future for our children and young people. The Ministry of Education and Training must seriously examine the issues and programs that are impacted through this goal to significantly reduce education spending.

Early childhood education and its merits are researched and informed tenets that are universal. Early intervention and detection of learning handicaps through programs such as Reading Recovery and Head Start have proven that they reduce the need for remediation in the older grades. Why then would the ministry make junior kindergarten optional?

Smaller school boards with limited educational dollars cannot afford to offer such a vital and necessary service. This appeal to maintain funding for JK is based on sound pedagogical reasoning.



Locally in Ottawa, junior kindergarten has been in existence for 50 years, but this year we came very close to losing it. The strong lobbying by the community and the JK teachers convinced the trustees to maintain it for another year. When boards like Ottawa with an enviable tax base, according to the provincial government, think twice about keeping JK, what chance do children in smaller boards have?

The Minister of Education and Training has stated that he is committed to maintaining quality programming for our students. How is this possible when one of the most effective programs will no longer be mandatory?

What is junior kindergarten? Junior kindergarten is an education program for four-year-olds which develops the skills of language, numeracy, early literacy and socialization. These are the essential skills and attributes that inculcate successful learning and create lifelong learners.

Junior kindergarten had its beginnings in Ontario in 1944 when George Drew was Premier and Minister of Education. It is worth noting that it was a Conservative Premier who introduced provincial financial support for JK.

In 1989, the government announced that school boards would be mandated to provide junior kindergarten programs. Presently, there are over 110,000 children in JK in Ontario.

What are the educational benefits of JK? Four-year-olds experience rapid and critical growth in language skills which provide a significant foundation for literacy. This growth is especially meaningful for children from other linguistic backgrounds, as it results in cost-effective development of early English-as-a-second-language competency.

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Longitudinal studies have shown significant cost benefits of early educational programs as the students move into adolescence. For every dollar spent on educating the four-year-old, there is a saving of \$7 in the costs of education, health, social services and justice systems when the student is a teenager.

Unless provincial funding is available, many boards in Ontario will not be able to finance the program for our children — our investment in the future — with their entitlement: the most optimum learning opportunity.

The best preventive medicine for succeeding generations is the development of safe, nurturing, healthy environments for our children from zero to six years. Common sense tells us it makes good sense to capitalize on the advantages of maintaining quality junior kindergarten programs.

Effective August 31, 1998, Bill 34 removes the long-standing statutory entitlement of teachers in Ontario to be paid for up to 20 days of sick leave per school year. Between now and then, collective agreements that provide a lesser benefit to teachers can take effect. After August 31, 1998, collective agreements will be the only source of income protection for teachers with chronic or serious illnesses.

The number of sick days available to teachers is comparable to other professions such as nursing and is not excessive. Stress related to teaching has often been compared with that experienced by air traffic controllers.

Teachers are also very susceptible to many illnesses because of their continuous exposure to bacteria and viruses. It is a unique phenomenon in teaching that many teachers get sick in the fall, since they lose their immunity while on summer break.

Issues surrounding sick leave and sick leave gratuities are very sacred to teachers and have on occasion resulted in strikes. Quite often other equally important working conditions were relinquished in order to maintain sick leave entitlements.

Reduction of sick leave days impacts greatly on women teachers because of the issue of pregnancies and the possibility of related complications. The maintenance of sick leave and sick leave gratuities is of extreme importance to the over 41,000 elementary women teachers in Ontario.

In conclusion, I strongly reiterate the efficacy of maintaining the mandatory status of junior kindergarten and the provision of the 20 days of sick leave.

Thank you for your time and your consideration of these issues.

I'd like to introduce Larry Myers, the president of the Ontario Public School Teachers' Federation, who is making a presentation as well.

**Mr Larry Myers:** Good morning. I am Larry Myers, Ottawa district president of the Ontario Public School Teachers' Federation. The Ottawa district of the Ontario Public School Teachers' Federation represents some 345 elementary teachers, including principals and vice-principals, as well as approximately 600 occasional teachers.

As district president, I'd first of all like to thank you for allowing me this opportunity for input today. I wish to indicate some concerns about this proposed bill.

In this era of cuts to government spending, it's important not to lose sight of our goal to provide top-quality education to the children of this province.

The \$400 million in education spending cuts announced by the government have put pressure on school boards to cut programs and services in a number of areas. Our school board, the Ottawa Board of Education, has announced changes that will result in the elimination of teacher librarians, a reduction in curriculum service support personnel, outdoor education teachers and speech teachers. As well, schools will be twinned, whereby one principal will be responsible for two schools, and teachers' supervisory responsibilities will increase as they take on extra noonhour supervision.

A short time ago Mr John Sweeney was invited here by the local community. His Ontario School Board Reduction Task Force suggested administration could be cut without affecting classroom teaching, but Mr Sweeney himself was not clear on what constituted administration. A suggestion that administration includes anything other than the classroom teacher does not take into account the value to the child that support personnel provide. The OBE has tailored its services to meet the unique demands of a city board with a substantial immigrant population.

Loss of services such as teacher librarians, curriculum support, English-as-a-second-language instruction and principal's contact time will greatly affect classroom instruction. That's not to mention the direct cuts in areas

like junior kindergarten, as Alia has discussed, and adult education, which others here I'm sure will elaborate on.

Our board is considered a wealthy board and yet it has trimmed \$20 million from its budget in an effort to prevent a tax increase this year. Bill 34 could put further strain on our school system by allowing the siphoning off of further local dollars to the provincial treasury.

We've just come through the social contract and have reduced teaching staff by 4.75%. This coming year, predictions are that student enrolment in our board will increase by 250, yet there will be 60 fewer elementary teachers. Consideration must be given to the quality of education.

Consideration must also be given to the morale of staff. Teachers are facing possible layoffs, reassignments from long-held positions, increased workloads and less support. Section 10 of Bill 34 would continue the assault on teacher morale by removing sick leave provisions from the Education Act, not because of any abuse by teachers. One would expect in an infectious school environment where children often arrive in various stages of illness that the rate of absenteeism among teachers would be high. This is not the case. I've included in the package some charts that show those figures.

The amount of paid sick leave for teachers is at present comparable to that offered to other groups. The maximum that can be accumulated for credit is also in line.

This section of Bill 34 may be seen as being politically expedient to make up for a lack of planning on behalf of some boards. Sick leave gratuities have been negotiated as part of the collective bargaining process. To reduce the number of days allowed in the Education Act would put further pressure to lower the standard of working conditions for teachers.

An effective teacher is a happy teacher who feels he or she is being treated fairly. Teachers care about the children in their care. They care about the quality of education in this province.

Funding cuts along with the provisions of Bill 34 represent a rapid and significant restructuring of education that will lower standards for our students. As well, these measures serve to provide a serious assault on teachers and their duly negotiated working conditions. OPSTF, Ottawa district, does not support this legislation.

**Mr Patten:** Good morning and welcome to the hearings. I would like to first of all address Mrs Kent. You asked a question in your presentation, which was, why then would the government make junior kindergarten optional? I would like to give you a scenario as to why.

First of all, this whole bill by and large is not dealing with anything to fix education. You have to see all of these things as windows of a way for the government to take money out of education — and I underline "totally out of education." This is not going to redistribute money to other areas of the province. This is money that will go and contribute to the government's tax commitment. That's what it really is all about. As you know, those who are in the higher tax bracket will benefit the most. People will get some money in the left pocket and then find out later on that out of the right pocket they're going to be paying for services or they'll get less services or they'll get less quality. That's the motivation behind this

whole bill. It has nothing to do with helping the quality of education. That's a bias, I will be told, because I'm in opposition and I'm a critic, but that's my critique of it.

I will ask you, in terms of junior kindergarten, in the whole area, how many of the boards in the area will be maintaining or dropping junior kindergarten?

**Mrs Kent:** Presently, I believe there are about 22 boards that have opted to drop junior kindergarten, but there are many more that are considering that as well. That's very disappointing because, as I said, we are basing our arguments on sound pedagogical reasoning, and that's why we don't understand why something so important should become optional.

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**Mr Patten:** We have heard incredible testimony from every level, practitioners, experts in the field, psychiatrists, psychologists, educational researchers, professors etc — I've learned more about junior kindergarten in the last year than I have in my lifetime — and the evidence is overwhelming, so pedagogically there's no question as to the validity of junior kindergarten.

The problem is that this not an education bill; it's a money bill. So when those arguments are presented, the government is caught in a tough corner, because they're trying to make arguments to justify junior kindergarten being cut on the grounds that the parents want it to be optional, this kind of thing. I don't know of very many people who want that to be optional. I suppose there may be a few, but the evidence suggests that we're wise — you look around the world and you see how many countries are adding and increasing and even moving to four- and three-year-old programs in their educational system, and here we are moving in exactly the opposite direction.

Larry, what do you think are going to be the impacts of these kinds of cuts on class sizes throughout the school system, or let's say on the board of education?

**Mr Myers:** In our board there has been a movement to maintain the class size per se, so the class size has not been affected at this point, but I think that's a bit of misrepresentation of the actual situation, because the amount of support staff has been severely cut, and this has a dramatic effect on the class situation. When support personnel such as English-as-a-second-language teachers are cut back severely or remedial library resources, those kinds of situations, they have to have an impact on the classroom.

**Mr Patten:** Class sizes?

**Mr Myers:** Class sizes are being maintained at this point. There is pressure on that to increase, but at this point, with the OBE, the impact is being felt in these other areas at this time. All of the cuts, as I mentioned, the 60 full-time equivalent positions that are being eliminated this year, are coming out of other areas, but they will have an effect on the classroom teacher.

The classroom teachers are being called upon to do extra supervisory duties at lunch-hours, for instance, which naturally has to cut into their time at some point. In the areas of planning, marking, extracurricular activities, those kinds of things will all have to suffer.

**Mr Patten:** A teacher near and dear to me yesterday told me that she was informed that in their school their



classes would be increased from eight to 10 students a class. That's in the OBE. Maybe it's not typical; maybe it's just that school.

**Mr Myers:** I'm not sure where that information would have come from.

**Mr Martin:** Thank you for coming before us today and presenting such a very —

**Mr Garry J. Guzzo (Ottawa-Rideau):** Was it your wife who told you that?

**Mr Patten:** Yes, it was.

**Mr Guzzo:** Don't be ashamed to announce it.

**Mr Patten:** No, I'm not ashamed at all.

**Mr Guzzo:** She benefited when you were in power, didn't she? You were throwing that money around like a drunken sailor.

**The Vice-Chair:** Hold it now. Mr Martin has the floor.

**Mr Martin:** Certainly there is an onslaught at this particular point in time on anything that falls under the rubric of public service, and certainly education is one of those very valuable instruments that we have to prepare students, as a matter of fact, to prepare people to take their places in the world. Before you, the Ottawa Board of Education painted a picture of some of the challenges that will be faced by them as they try to come to terms with the new reality and the shortage of money, and within that, the most important person is the teacher and the teacher's morale and the teacher's ability to do the job that they all want to do and how this will affect that.

I think we also have to put this in the context of the other things that are happening out there to children within our society, and I talked earlier about the reduction in the amount of money that's now going to the poorest of the families who live within our communities. It was 21.6% that was taken directly out of the take-home pay of those families, and those families, of course, are responsible for making sure those kids are fed before they come to school, that they've got proper clothing and that they have a good place to live. When they come to school, they present at the door, and you as the teacher then have to take it from there. What do you anticipate will be the impact, given some of what you present here as issues of morale and ability re health and that of teachers to deliver? What impact will that have on teachers and their ability and the system?

**Mr Myers:** I think we're seeing the effects already in a number of ways, on teachers and on morale. This particular year, it's been a difficult budget for the OBE to deal with, and as a result, we're into this situation now where we're looking at a reduction in staffing and reduction in support services, and I think in part the uncertainty has affected teachers' morale.

We have been in the situation, I guess, as many other groups have been, where wages are not increasing, wages have been frozen. We've had some deductions as far as the social contract is concerned. So the money issues are in play as well.

In my experience, I'm seeing an increase in situations where teachers under stress are being involved in activities perhaps that might be inappropriate, an activity where they would need counselling. It's very difficult to get counselling services now at the board because there's so much demand on them, it seems. We're also finding

that there are a number of teachers who are applying for long-term disability because of stress-related issues.

So we're seeing that teachers are being asked to do more with less, and it's having an effect in a number of different ways.

**The Vice-Chair:** The government side, Mr Preston. I've got four people on the government side, so if you can make it short.

**Mr Peter L. Preston (Brant-Haldimand):** I'll be fast, as fast as I can possibly be.

Like Mr Patten, my wife is a teacher. My daughter-in-law is an early childhood educator, so if you want to equate those two wages, one is half of the other.

I have trouble with equating early childhood education and junior kindergarten. They're not necessarily the same. Mr Patten is correct. We have heard expert after expert after expert telling us about early childhood education, but that starts at six months with eye contact, coordination, recognition.

Do you agree that early childhood education can take place in alternative sites and with alternative educators other than the school?

**Mrs Kent:** We are not debating the issue that early childhood education and early childhood educators are equally important in the lives of children. What we are talking about is why JK is important, and that is because once the children come into the school system, the teachers have a global picture of education, they're able to discuss grade levels, they're able to prepare the children in the school environment, and that's why it's important to maintain JK, not because of whatever happens with early childhood education, but because of what happens from JK until they leave high school.

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**Mr Preston:** The thrust of all the experts we've talked about and talked to has been that early childhood education identifies problems, allows social interaction, and then they move to kindergarten, which prepares them for school. Why does JK have to be the sole arbiter of early childhood education at four years of age or three years of age or two years of age? At what point do we really start to subsidize early childhood education when it starts at six months?

**Mrs Kent:** I believe that seamless model of delivery was considered and rejected because it is so expensive. We're saying that there is a public system already in place. Junior kindergarten is one of the extremely important programs that's offered there, and it can continue and be maintained. That's why we are beseeching the government to reconsider that.

**Mr Preston:** Just one fast statement: There are many early childhood education centres in existence now that are working at half the price of junior kindergarten.

**Mrs Kent:** Looking at different delivery models is certainly an option.

**Mrs Janet Ecker (Durham West):** I think it's worth noting that we're not proposing to eliminate sick days or disability, but I'm very curious about the comparison that's been made many times yesterday and today with another high-stress occupation, nurses, who according to the information we've been provided have about 18 sick days, I understand, and are exposed to their clients, if you

will, who are much sicker, on a year-round basis. Teachers, as you note, get significant breaks from the teacher-student ratio, so why would they need the 20 days? Is there any room to manoeuvre here? Why do they need more sick days, if you will, than nurses?

**Mrs Kent:** You're talking a difference of two days.

**Mrs Ecker:** I know, but in terms of negotiating and looking at where there are ways to moderate cost increases for boards, this has been a suggestion that's been put forward and it's something where there's the discipline of collective bargaining over what can happen with that. I certainly don't think any of the teachers' federations have been indicating their inability to bargain very strongly. I just wondered if there are any comments on the difference.

**Mrs Kent:** I don't know if the number 20 is really what is debatable here or what the issue is. It is the idea that something that has been statutory will now become a negotiating, collective bargaining item. We see that as an erosion of the kind of things that, as we were saying, are a sacred trust, of something that has become a tradition and a long-standing culture, and all of a sudden many of the — it's looked at as a stripping of collective bargaining rights and issues.

**Mrs Ecker:** How does it strip collective bargaining, though, when collective bargaining is what governs it?

**Mrs Kent:** The more options you introduce, there is more of a chance of losing many of the things that we consider to be sacred.

**The Vice-Chair:** Thank you very much, Mrs Kent and Mr Myers.

**Mr Myers:** Could I reply to that very briefly? I think we're talking here about insurance. The statistics that I provided in my package would indicate that the actual use of sick leave is quite low for teachers. When individuals are in some difficulty because of poor health, that's what this insurance is there for. It should be a standard.

**The Vice-Chair:** Thank you very much for your presentation. I wish we had more time, but the rules were set that it be 30-minute limits and we want to be fair to everybody.

#### ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

**The Vice-Chair:** Next we have Donna Marie Kennedy, the president of the Ontario English Catholic Teachers' Association, Carleton unit. Welcome to our meeting.

**Ms Donna Marie Kennedy:** Thank you very much. My name is Donna Marie Kennedy and I represent the Catholic teachers of Carleton. To my right is Neil Doherty, one of our staff people from our Toronto office. I want to thank you, first of all, for allowing me to have time to present to the committee today.

The Carleton unit of the Ontario English Catholic Teachers' Association represents the 1,380 women and men who teach for the Carleton Roman Catholic Separate School Board. These teachers work in both the elementary and secondary panels, from junior kindergarten to grade 12/OAC.

We have major concerns about Bill 34. While there are certain sections of the act with which this association can

agree, other proposals cause us grave concern. The primary areas of concern, and the ones I wish to address today, are the proposed amendments on junior kindergarten, adult education and the sick leave entitlement. These amendments are a direct attack on the classroom and the professionals who serve the students in the classrooms. Who did the government single out? The most vulnerable: the very young and those who have dropped out but who have chosen to return to school to better their chances at being productive individuals in an ever-changing Ontario.

As a Catholic teachers' organization committed to social justice, we have seen and indeed experienced the devastating effects that this government's policies are having on the classrooms of this province and on the students and teachers of the Carleton Roman Catholic Separate School Board. Despite the protestations and assertions of this government, the cuts are directly affecting the classroom and the students. The proposed amendments to junior kindergarten and adult education funding are prime examples.

The Catholic teachers of this province and of Carleton have continued to serve the students they teach with considerably fewer resources than other constituencies. Despite this fact, the proposed amendments will have a greater impact on assessment-poor boards, boards like the Carleton Roman Catholic Separate School Board.

Junior kindergarten: No doubt you've heard from a number of groups regarding the importance of junior kindergarten. There are longitudinal studies that fully support early intervention and effective education for young children. Some of these observations are a direct result of the report on the Royal Commission on Learning in 1994.

The report made the following observations with respect to early childhood education.

By age 3 there are substantial differences among children in their understanding of how to count and calculate.

By age 4 the failure of a great many of our children to acquire knowledge and understanding will have serious consequences for their formal education.

By the time children begin grade 1, variations in oral language, vocabulary and comprehension are so great that it is difficult for teachers to narrow the distance between children who are more and less ready to learn in a formal setting.

Children identified in grade 1 as having a poor prognosis for school success all too often do become unsuccessful students and eventual school failures.

Effective school readiness programs are known to make a substantial difference for children's ability to benefit from compulsory education at age 6.

There are additional studies and reports that have been presented to you by our provincial organization, including Dr Mustard of the Canadian Institute of Advanced Research and the Ypsilanti Perry Preschool Project. These studies clearly indicate that:

Promoting the wellbeing of children and defending their entitlements must become society's highest priority.

Children have the right to a secure life, education and the opportunity to achieve their potential.



A country that is trying to raise educational standards cannot afford to lose out by allowing its youngest children to be undereducated at a time in their development when they are most open to new learning.

Most of the countries in the world that are held up to Ontarians as those with which we must be prepared to compete are countries with very extensive formal early education programs: China, the Arab states, France, Belgium, Germany, Italy, New Zealand and Japan. Those countries continually berating their schools and parents for poor showings in international assessments are those which consistently refuse to see the early years as important to the economic future of their societies.

The relationships between young children and their parents and between the family and the state in one nation have consequences for all.

In literate societies, the most disempowered and disfranchised are the illiterates. Children have rights. They have the right to literacy. They have the right to be assisted and guided in their learning.

Children are more likely to cope successfully with their first school experiences if they come to them with a history of positive experiences of being in a group away from home.

According to a recent survey by UNICEF, Canada's children are among the world's most troubled. Called The Progress of Nations, the report shows that Canada has the world's highest rate of suicide among young children.

Junior kindergarten provides a level playing field for all students regardless of their socioeconomic background. Despite these findings, the government has slashed funding for junior kindergarten. Boards like the Carleton Roman Catholic Separate School Board which choose to offer a junior kindergarten program do so at a decided disadvantage and at a cost to the quality of programming. I'm going to give you a specific example of how these cuts are affecting the classroom.

In the Carleton Roman Catholic Separate School Board's most recent proposal, class sizes for the JK program have increased dramatically. It would allow junior kindergarten classes to exist with 32 students in the room and the class not splitting until there are 33 students in the room. Prior to the social contract, the system-wide average class size for both junior and senior kindergarten was 18.25 to 1. The new staffing model is 24 to 1.

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These large class sizes will exist despite additional studies that clearly indicate the advantage and importance of small class sizes. A comprehensive study in Tennessee, called Project STAR, involved 6,500 students from across the state. It clearly showed that smaller class sizes in the earlier grades dramatically affect the success of students. In an article published in the *Citizen* on April 9, 1996, reports from Project STAR indicated that the average pupil "moved from the 50th percentile to the 60th percentile after one year in a small class." I have that article and the study here for the members of the committee.

Junior kindergarten is continuing in some jurisdictions, including our board. However, the dramatic cuts to junior kindergarten funding will have a direct impact on the other instructional areas as class sizes increase across our system. It is ironic that while many US states — and, I

would add, Republican-controlled states — are moving towards smaller class sizes and earlier intervention and education programs, Ontario is doing exactly the opposite. But at what future costs?

We recommend that junior kindergarten be maintained in the Education Act as a mandatory program with certified teachers and that funding be maintained at existing levels.

Adult education: The proposed cuts to adult education grants will also disadvantage those individuals who for whatever reasons have not followed the regular steps to attain a high school diploma. These individuals are attempting, through a prescribed program, to better themselves and to become more productive citizens in an ever more competitive society.

Adult education has been a highly successful program in Ontario and indeed in the Carleton Roman Catholic Separate School Board.

Adult education is unique in that it directly and almost immediately prepares individuals to play a more productive role in society. In our board, 75 people graduated last year from St Nicholas Adult High School; 34 went on to Algonquin College and the vast majority of the rest of the people went directly to the world of work. I would say that's a very successful program.

School boards are institutions able to grant an Ontario secondary school diploma as a key to future education and training.

School boards already have the programs and the staff to offer the proper training.

In 1980, 6.6% of secondary students were adult learners. By 1992, 25.2% of secondary students were adult learners. I'm not going to go through those statistics; you can look at those at your leisure.

The recent changes to the adult education grants have resulted in our board declaring 24 positions surplus. It has also resulted in the class sizes in those adult high school programs moving from 25 to 1 to 30 to 1. I would remind you that many of the people who returned to high school are people who have had severe problems in their first experience in high school. The comment of one of the students upon receiving this information when our teachers were cut was that this government views them as second-class students and, it would appear, second-class citizens.

The reduced grants will force class sizes to unmanageable numbers as boards run these programs on a cost-recovery basis.

The vast majority of students in adult high school programs also have learning disabilities. They require one-on-one support.

We recommend that the amendments to the adult education sections of the Education Act be withdrawn and that funding be maintained at existing levels.

Sick leave: The amendments contained in subsection 5(2) and section 10 will delete the statutory entitlement of teachers to any sick leave with pay. The amendments will affect sick leave accumulation and the portability of sick leave. The teachers of Carleton have no retirement gratuity. However, the changes to this section will have a dramatic effect on long-term disability, the long-term disability costs and the protection of those individuals

who have serious long-term illnesses. Has any consideration been given to these costs, both financial and in human terms?

Our recommendation is that the proposed amendments on sick leave provisions be withdrawn.

**Equalization payments:** The proposed amendments enable school boards to make equalization payments to the province so that the impact of grant reductions is shared by all boards. The amendment stipulates that a board may make an equalization payment which does not exceed the negative grant amounts. Given the language of the legislation, it is clear that the government is depending on the goodwill of boards to comply. Was this goodwill evident during the social contract?

The association views the smokescreen of volunteerism as a token effort on the part of government to address the issue of negative-grant boards. The bottom line is, this part of the act will further exacerbate the plight of assessment-poor boards since they will in effect pay the share which cannot be extracted from negative-grant boards.

In short — and I want to change this because of present actions that have happened in education in Ontario — the rich will get poor, while the poor will become impoverished.

The Ontario English Catholic Teachers' Association believes that the language must be mandatory because this is an issue of adequate funding which provides equity and fairness for all assessment-poor boards, both public and separate.

We recommend that the equalization payments for the boards in the negative-grant situation be mandatory.

Finally, there's the issue of cooperation. I won't read my notes; I'm sure you'll be able to follow that afterwards. But we certainly support cooperation and we support that recommendation of the bill. Thank you.

**The Vice-Chair:** Thank you for a very interesting presentation. We have four minutes per caucus and we start with Mr Silipo.

**Mr Silipo:** Let me just start from that last point that you made, because I want to challenge a little bit your conclusion on that and suggest that you take a look at that, because I think that what you're doing is buying into what exactly this government wants to do, which is to pit one school board against another.

There are problems with funding. I certainly know, as a former Minister of Education, that there are and there have been attempts to try to remedy that. I don't think that this is the way to do it. The grant formula really is completely broken and establishing such an entity as a negative-grant board really is just another way of playing around with statistics and numbers, because those grant numbers can be adjusted up or down with a small change in any one of the various grants that exist to have all boards be positive-grant boards if the ministry so chose.

So it's a bit of a hoax, quite frankly, that's been put onto boards so that in effect boards like yours that are poorer on a relative scale can then say, "We should get our share of that money from the 'richer' boards." I just think it's completely the wrong way to go and I just wanted to say that. If you have a comment I'd be happy to hear it.

**Ms Kennedy:** No, I think we all know and I'm sure everybody around this table knows that educational finance is severely broken in this province and it has to be fixed in the way education is funded in the province. We have seen over the last number of years the province's commitment to education on a very slippery slide and it's unconscionable that a province like Ontario would allow that to happen.

I don't care what government it happens to be, whether it be Liberal, Conservative or NDP. We either put our money in our future or we don't.

**Mr Silipo:** That actually is the other point I wanted to pursue because I appreciated very much your comments earlier on in your presentation about the importance of junior kindergarten, as others have pointed out to us this morning. In your presentation, there was also the reference to other jurisdictions where regardless of whichever political party or movement has been in government from the political spectrum, from the right to the left and the centre, there has been an understanding and a recognition about the value of investing in the early years of children in terms of education and early childhood education.

Mr Preston talked earlier about the link with ECE and that you don't provide all of that through just junior kindergarten. I just remind him that in fact that's what the early years program was all about, which was to try to fuse together, starting with three-year-olds and according to the Royal Commission on Learning eventually down to two-year-olds even, the notion of junior kindergarten with early childhood education. Unfortunately, it was one of the first things that this government, his government, chose to cut, and now the attack continues on junior kindergarten.

What I find most objectionable about all this is that we're not talking here about a situation in which the government is saying, "We have to find \$400 million or \$800 million in the education budget in order to fix some other things that exist within the education system." They're saying, "We need to take that money out of the system to reduce the deficit," or, as others have pointed out, to help pay for the tax cut. And that's what I think makes all of this more objectionable. This is not a question of fixing the problems that exist within the school system; it's just a question of exacerbating those problems and of pitting boards one against the other.

**1020**

**Ms Kennedy:** If I could just comment on that, I think the important thing — and I respect the importance of early childhood education. But what junior kindergarten is for — and I'll quote from the royal commission: "The long-term educational benefits stem not from what children are specifically taught but from effects on children's attitude to learning, on their self-esteem and on their task orientation. Learning how to learn may be as important as the specifics of what is learned." That's why the seamless day is important for junior kindergarten, kindergarten and into the primary grades.

**Mr Martin:** You certainly point out, particularly early on in your presentation, that this is a continuation of an attack by the present government on children, and on poor children in particular. Junior kindergarten, as you say, is a levelling exercise for all children.



Are the teachers you represent beginning to find any particular change or challenge re the number of kids now coming to school because of the lowered amount of money going into the households of poor families? Are they coming to school hungrier or are they presenting more problems as they show up at the classroom door?

**Ms Kennedy:** I don't think there's any question of that. If we looked around our school system and saw the ever-increasing numbers of breakfast programs that are required for students who are coming to school hungry and tired and needing support — and I'm talking about special education support. In all of these cuts, those people who have traditionally supported those children in the classroom, they also are being cut. That's a major concern for us as a teachers' organization. The needs of children are ever increasing, the supports for children are ever decreasing, and it's a major area of concern.

**Mr Dan Newman (Scarborough Centre):** I'd like to continue with what Mr Martin was talking about, his vision that there's a perceived attack on children. I guess I have to ask Mr Martin if he's actually read the budget or not. The question I have for you, Ms Kennedy, is, have you read the budget that was recently released and what were your thoughts on it?

**Ms Kennedy:** I think what we have to look at is that the attacks on education were prior to the release of the budget and those attacks on education are having a profound effect on the students we're teaching. I think when we talk about attacks on programs, that means an attack on children, because if it means that we don't have a special education teacher to support the child who has physical challenges or mental challenges or behavioural challenges, then that child is being impacted on directly.

**Mr Newman:** My question would be, in the budget, child care funding was increased by \$50 million a year to \$600 million a year, which is the highest in the history of this province, and that doesn't include the additional money available for child care support for those on social assistance trying to get back to work. There's an additional \$5 million for nutrition programs, \$10 million for speech disorders and up to \$20 million next year, and \$10 million to help high-risk mothers prevent low-birth-weight babies. Is this going to help the situation?

**Ms Kennedy:** I guess I'll have to turn it around to another question for you, Mr Newman. What happens to that money that's already been extracted from education? Those moneys that you're talking about don't help the child in the classroom that I'm dealing with right now.

**Mr Newman:** It sounds like from the presentation you're making — and maybe I'm reading you wrong, but can any savings be found in education or is the status quo fine?

**Ms Kennedy:** Mr Newman, I'm going to talk specifically about my board because that's my experience. My experience is that in my particular board, we don't have any teacher-librarians, we don't have any music teachers, we don't have any lunchtime supervision programs, we don't have a retirement gratuity, and these cuts that hit our board and our teachers and our students are exactly the same as other cuts across the province.

**Mr Newman:** So should I take that as a no, that no savings can be found in education?

**Ms Kennedy:** Not in my board, as far as I'm concerned.

**Mr Skarica:** I'd like to talk about the retirement gratuity for a moment — I'm surprised to hear that you don't have one — because this is the situation that's been told to us in the province of Ontario. Our government calculates there's approximately a \$1-billion unfunded liability by the boards for that gratuity and that's a gratuity that a teacher gets when they retire. None of that goes to the children in the classroom.

In any event, we heard yesterday a really stunning statistic from Mary Jean Gallagher, who's the director of education in the Windsor board. She feels that the unfunded liability is closer to \$10 billion. That's \$10 billion that the taxpayers will pay that will never go to the classroom. I note from the Carleton board, their retirement gratuities, they have no reserve funds in a close to \$59-million retirement gratuity.

In light of all that, one of your sister boards or brother boards, I'm not sure what's politically correct, but the Ontario English Catholic Teachers' Association, which does have the retirement gratuity, made this comment and they put it in writing, "That in the event that our employer resists granting teachers 20 days of sick leave, refuses accumulation and further refuses that such accumulation can be used for retirement gratuity purposes, strikes will definitely occur with our board."

I'd like your comment. Are you going to go on strike if you don't get retirement gratuity? Obviously, you don't because you don't get it now.

**Ms Kennedy:** I don't have a retirement gratuity, so I couldn't possibly. It's not part of my collective agreement.

**Mr Skarica:** We're not taking away what's already accumulated. We're making it subject to negotiation. That seems to be an area for substantial savings which won't impact on the classroom at all. We're talking about a \$10-billion potential unfunded liability.

**Ms Kennedy:** With all due respect, Mr Skarica, I'm surprised that they are unfunded liabilities, first of all.

**Mr Skarica:** But they are.

**Ms Kennedy:** These are corporations that should have — and some jurisdictions have put moneys aside for that. So the fact that there are unfunded liabilities in particular jurisdictions is not my concern. But I think what is my concern are those issues that different groups have negotiated collective agreements. That's their right and their duty to negotiate the best collective agreement for their group.

**Mr Skarica:** Yes, but what about the children?

**Ms Kennedy:** Listen, I'm a child advocate as much as I'm sure you are, but I think those individuals who negotiate collective agreements negotiate those collective agreements with their particular group in mind. I'm speaking today on behalf of the Carleton Roman Catholic Separate School Board teachers.

**Mr Trevor Pettit (Hamilton Mountain):** The one question I had, I think Mr Newman covered it, was obviously your association feels that your board has done everything possible to find savings without affecting the classroom. Is that correct?

**Ms Kennedy:** The classroom has been drastically affected.

**Mr Pettit:** Okay. The other thing is, recently in Hamilton, the Hamilton Roman Catholic separate school board found savings of \$3 million through a deal with their teachers where they reduced benefits rather than affecting classroom education spending. I'm just wondering if there's any possibility that your association is looking at anything along those lines with your board.

**Ms Kennedy:** No.

**Mr Jean-Marc Lalonde (Prescott and Russell):** Thank you for your presentation. I've noticed that you're in support of school boards that enter into an agreement with other school boards. Noticing that one of the very important issues is sick days, what would be your position on a province-wide collective agreement? There's been talk about it for a while, that there should probably be a province-wide agreement instead of individual agreements.

**Ms Kennedy:** I'm personally and the association is absolutely opposed to that kind of bargaining. I think the collective bargaining in Bill 100 has worked remarkably well in the province of Ontario and I think if people examine the history of Bill 100 and the way that it has worked, you would see that it's been a most productive bill and has worked well for both the teachers and the citizens of Ontario.

**Mr Patten:** Good to see you again. Donna, we were in Windsor yesterday, as was pointed out, and Reverend Joseph Redican from the Roman Catholic separate school board in Windsor was addressing the issue of junior kindergarten and suggested that making junior kindergarten optional it created a competitiveness between school boards, especially between the separate and public boards. His thesis was, once you lose a child to one system, and of course it's optional as to whether in communities you join the separate school system or not, once that child is lost, that child is probably lost forever. This creates great strains in the separate school board. What would be your reaction to that?

**Ms Kennedy:** I think every child in the province of Ontario has a right to junior kindergarten, whether they go to the public school system or whether they go to the other publicly funded school system in Ontario, which is the separate school system. But I think that's why junior kindergarten has to be funded fairly across this province and fully funded, so that it doesn't matter whether I go to school in Cochrane, Ontario, or whether I go to school in Toronto in a public school or a separate school, or whether I happen to go to school in Prescott and Russell. I should have the right to attend junior kindergarten in any of those jurisdictions.

1030

**Mr Patten:** You talked about the class sizes in junior kindergarten, moving up from sort of pre-social-contract of 18 to 25 to 32 students.

**Ms Kennedy:** That's what the board has presented us with, and we're in the midst of negotiations, that at 32 students, if another additional student was added at that point, the class would be split.

**Mr Patten:** Some boards, in their decision to maintain or retain junior kindergarten, have been examining having

a mix of certified teachers along with some early childhood educators on sort of a team supervised by the certified teacher. Some federations, understandably, say, "No, they've all got to be certified teachers or there's no program." Others are saying: "Let's look at it. It may be half a loaf, but it's better than no loaf at all." What would be your reaction to some kind of a mix in order to protect the program?

**Ms Kennedy:** I think we already have that. In our system I can speak specifically for that. For instance, in a class of 29 junior kindergartens, we have the support of a teaching assistant and quite often those teaching assistants have either early childhood education diplomas or other forms of education.

**Mr Preston:** They must have.

**Ms Kennedy:** No, they don't have to. They might have, for instance, a developmental specialist certificate, to work with special-needs students.

**Mr Preston:** Oh, all right.

**Mr Patten:** Donna, your statistic on page 10, 1980, 6.6% of secondary students were adult learners, and by 1992, 25.2% of secondary students were adult learners, and presumably 1996 would even be higher — given the pressure on capacity to maintain adult education in its fullness, it seems to me that is a very tough decision. What do you see as the alternatives for boards that will have to either drop or cut in half or limit their adult education for the adult learners?

**Ms Kennedy:** I would seriously ask all parties to look at those people who come back to school, those people who are post-21 and who have come back to school for whatever reason. Some of those people in our particular program are recovering alcoholics, they've come back to school at a great personal cost and they've come back to get an education. I think when we educate those people who have made a commitment to come back and to be educated, in the long run you're saving money.

I think you carefully need to look at these statistics of the number of people who are attending adult education programs, day school programs, the number of people who graduate from those programs and the number of those people who are now successful members of society, whether they are attending post-secondary education or whether they have gone directly into a position in the workforce. That, ladies and gentlemen, I think is the best form of workfare, the fact that these people are educated and then are making their own living.

**The Vice-Chair:** With that, we'll have to leave the subject right now, but we'd like to thank you very much for your very interesting presentation.

Next we have Kyle Murray, the director of education, and Ann MacGregor, the chairman of the Carleton Board of Education. As they come up, I believe Mr Skarica, you've presented the committee with some information that was requested yesterday. Could you just elaborate on that for a moment? Do you have it now?

**Mr Skarica:** Yes, this is a per-pupil survey, and what it does is it outlines the per-pupil costs of all the pupils in both the elementary and the secondary schools in the boards throughout the province, and the key statistic for the members is the operating cost; it's the third row from the right.



**The Vice-Chair:** Just so we're clear, this is with respect to a request that was made by Mr Wildman yesterday, and he requested information about the status of the Ministry of Education's current review of junior kindergarten in the province. In that discussion, this particular survey came up but I guess it's up to Mr Wildman to determine whether he feels his particular request for information has been answered. This was part of the information, but the rest of it we'll leave up to him.

**Mr Skarica:** I have other information, but do you want to wait until Mr Wildman is here? It would probably be fairer to do that.

**The Vice-Chair:** All right, that's fair enough. Thank you for the information. Also, just by way of a house-keeping note, for those people who are staying in the hotel, if you could check out between 12 and 1, a light lunch will be served in here. We're on the plane at 4:30, so we have to be out of here no later than 3:30, or I guess no later than whenever the last delegation is, a half an hour after that. You won't have time to check out after that, so if you could do so between 12 and 1.

#### CARLETON BOARD OF EDUCATION

**The Vice-Chair:** With that, I'd like to welcome the chair and director of education of the Carleton Board of Education. You have half an hour to make a presentation, which includes any questions or comments that there may be from the committee members. Welcome to our meeting.

**Mrs Ann MacGregor:** Mr Chairman and committee members, I'd like to start by thanking you for the opportunity to speak to you this morning.

When the province announced its cuts to the education sector last November of \$400 million in 1996 and \$800 million to \$1 billion for 1997, it indicated that boards would receive assistance in the form of legislative changes, commonly referred to as the "toolkit." Subsequently, the impact in 1996 was eased by a freeze on capital spending, which was deducted from the \$400 million. However, with the exception of making junior kindergarten optional, the legislative tools intended to assist school boards with their spending reductions were of no assistance in the 1996 budget. Other tools included in the announcement did not provide immediate relief for the Carleton board's budget problems.

Changes to sick leave entitlements will require difficult negotiations with our nine unions. Any change to the retirement gratuity incentive will have no impact until about 20 years in the future. Similarly, modifications for adult day school assume that boards can negotiate changes with secondary school federations which will allow the restructuring of the adult day program under continuing education. It would be fair to expect boards to undertake responsibility for negotiating such changes for the longer term were it not for the fact that the grant reductions these measures were meant to address were immediate. Not only were the reductions immediate, but for all practical purposes they were retroactive. For 1996, a year's worth of savings had to be achieved in four months.

Since 1991, the Carleton board has reduced its operating expenses by \$52.5 million. This involved the elimination of 386 academic positions and 385 administration and support positions and numerous cuts to programs and services, including capping of SETAs — a SETA is a special education teacher's assistant — and changes to transportation entitlements. During this period, it must be remembered that the enrolment of the Carleton board increased by 2,400 students, even after taking into account the elimination of the junior kindergarten program. Contrary to figures quoted in the Ontario School Board Reduction Task Force report, this board's central administrative costs are between 3% and 4%. Any further funding reductions will hurt the system deeply and will of necessity have an impact on the classroom, either directly or indirectly.

In spite of continuously decreasing grants, the board has been able to keep its mill rate increase below 3% in the past few years. This year the board approved a mill rate increase of 1.94%. While the Carleton board has always tried to lessen the impact on the classroom, this year with great reluctance it had to cancel the junior kindergarten, not for pedagogical reasons — the value of the program is undisputed — but because the board could no longer afford it. It was a choice between this and continuing to slice away at the quality of programs and services for kindergarten to the OAC students.

The Carleton board supports the provincial government in its efforts to reduce the provincial deficit and to disentangle the complexity around funding and governance. We believe, however, that this must be a joint effort between the province and boards of education if these objectives are to be achieved. Adequate and ongoing consultation must take place. While boards of education have to provide constructive suggestions for ways of reducing spending, the ministry will have to provide the legislative powers to give the boards the flexibility they need to restructure.

#### 1040

The board appreciates the permissive changes in sick leave entitlement. However, there must be sufficient lead time to accomplish these changes through the negotiation process. The teachers' federations have clearly stated that they will work vigorously to safeguard the existing provisions in their contracts. Negotiation for change will not be easy. A provincial legislated approach is essential if this is one of the tools intended to help us meet the imposed reductions for 1996-97 fiscal year.

In addition to the measures in Bill 34, we are offering some concrete suggestions for other areas that should be considered. To assist school boards with restructuring, the CBE believes that provincial legislation should be provided for user fees in certain areas; adequate funding for new Ministry of Education and Training initiatives; creative and flexible approaches to the school day and the school year; more flexibility in staffing; greater incentives for shared transportation; and rather than taking a piecemeal approach, a wholesale reform of education funding is needed. I'll expand on each of these.

The Carleton board has for a number of years supported user fees for transportation. The board believes its

core business is education and this should be its primary focus.

During public input sessions in this year's budget process, there were numerous presentations by parents and ratepayers suggesting that the board should be permitted to charge user fees and indicating willingness to pay fees rather than see further reductions in educational programs. These suggestions for user fees went far beyond transportation and included possible charges for programs such as junior kindergarten and adult day school.

In an ongoing effort to reduce transportation costs, the board has over the last few years implemented double and triple busing in many areas of its jurisdiction, and this year has reduced the provision of OC Transpo passes for secondary students to a five-month period. The CBE continues to work towards joint busing with the Carleton Roman Catholic Separate School Board in order to find further cost reductions.

Most recently, the board approved a motion to petition the ministry for permission to charge a nominal user fee for the home-school transportation, without loss of grants, to further relieve the board of part of the cost of providing transportation without imposing the entire cost on the parents. The board believes it should be allowed to charge fees for extracurricular transportation, such as late buses.

Other areas that could be considered for user fees would be a deposit for textbooks to offset the loss incurred for textbooks that are not returned and for non-mandated programs such as continuing education credit courses. In the case of textbooks which are not returned, the annual cost to the Carleton board is approximately \$140,000 a year.

The board supports ministry efforts to improve the level of computer technology in the classroom and the recent announcement of government incentives of \$20 million to be matched by school boards in the private sector.

On several occasions in the past, the board has emphasized the need for adequate funding to implement any new initiatives from the Ministry of Education and Training. While in the past some funding has been provided during the initial stages of a program, it is often token in nature, discontinued after the service has been established or has been inadequate to meet increasingly prescriptive standards spelled out by the ministry.

Ongoing costs should be recognized and provided for in the grant structure. In view of the financial constraints boards continue to face, the Carleton board believes that consultation should take place before any additional new programs are mandated.

The board is supportive of recent announcements that curriculum materials will be classroom-ready and accessible for staff. We hope this approach will apply to all new initiatives.

One change to the Education Act which would solve many problems for school boards is to stipulate the length of the school workday. For example, if the workday were set at seven hours, this would give two hours a day for preparation time, before- and after-school supervision, staff meetings and training. In other words, teachers could

spend the instructional day teaching and attend to other duties during the rest of the workday.

The savings would be considerable. Ministry estimates of the cost of teacher preparation and on-call time amount to \$20.8 million a year for the Carleton board. Schools would have greater flexibility in organizing preparation time and could restructure accordingly. We request that this change be seriously considered for early inclusion in the Education Act and that other creative approaches to the school year and the school day be explored.

The board has studied the issue of year-round schooling and information from areas where it has been implemented. Given the overcrowding in some areas of the board's jurisdiction and the current moratorium on capital projects, this approach may, out of necessity, be given more serious consideration in the future. However, in some areas, this too requires substantial costs to, for instance, air-condition older buildings.

The board supports the ministry efforts to allow boards greater flexibility in staffing in areas such as library and guidance and would encourage an expansion to kindergarten programs. In addition to the Education Act, changes may also be required in related legislation, such as the Day Nurseries Act.

Bill 34 allows school boards to enter into agreements to cooperate with other school boards and with other agencies such as municipalities, colleges and universities. Over the past number of years, the Carleton board has actively pursued partnerships with other boards of education, universities, colleges and businesses.

Examples of areas where cooperation has been achieved include the four-board agreement for the education of pupils with developmental disabilities — I would point out that I think this was probably the first in the province — the Ottawa-Carleton Education Purchasing Corp, the Ottawa-Carleton Network for Education, colloquially known as ONE, and courier services. As well, a number of CBE schools have very successful partnerships with business in this area.

As indicated earlier in this presentation, the Carleton board continues to explore cooperative efforts with its coterminous board for the provision of student transportation. The CBE and the separate board are already cooperating for home-to-school transportation for special-needs students and are continuing to work for the expansion of shared cooperation in transportation. The board considers that these efforts would be greatly enhanced if the government provided some real incentives for this type of cooperation.

The board believes that the government should pursue, by all means available to it, the 85 factor as an early retirement date. This will not only result in savings but will allow more senior teachers to retire early and will ease the impact of layoffs on younger teachers new to the profession.

As noted earlier, while Bill 34 does provide some assistance for boards in dealing with decreasing grants and revenues, the board considers that it does not go nearly far enough. Like anyone who has ever studied the area, we agree that the whole area of education funding needs to be addressed. But the grant cuts are immediate. Boards must cope with them now, in 1996 and 1997. We



cannot wait for comprehensive and fundamental changes to the system. We need more immediately useful tools and we need them now.

Thank you for giving me the opportunity to speak to you today.

1050

**Mr Skarica:** Thank you very much for your presentation. I don't want to belabour this too much, but you're one of the boards that has a substantial unfunded liability for its retirement gratuity. That's \$60 million, or approaching that now, or in that neighbourhood?

**Mrs MacGregor:** In that neighbourhood.

**Mr Skarica:** And you have no reserves to pay that. Isn't that correct?

**Mrs MacGregor:** That's correct.

**Mr Skarica:** It seems to me that's going to put a tremendous financial pressure on your board over the next coming years. Am I right or wrong in that?

**Mrs MacGregor:** It certainly is and our immediate concern is that there is a peak coming where as long as it was going along that there were a certain predictable number of teachers who were retiring every year, we could budget for it. But we can see, just as there was one point when enrolment increased significantly, now we are hitting the teachers, moving into the period where the teachers who were hired by the board during that period will be retiring. Therefore, we will be expecting extraordinary expenditures in the way of payouts for that.

**Mr Skarica:** Is the Carleton board cutting junior kindergarten?

**Mrs MacGregor:** Yes, they are.

**Mr Skarica:** The Roman Catholic board?

**Mrs MacGregor:** No. The Carleton board, in its last budget, voted to discontinue junior kindergarten as of September 1996.

**Mr Skarica:** All right. Is the Roman Catholic board continuing?

**Mrs MacGregor:** They are offering it.

**Mr E.J. Douglas Rollins (Quinte):** Thanks for that presentation. It's enlightening to hear some people who are digging in and doing some cooperation instead of putting up their feet and saying, "No, we're not going to come screaming to the table." It's a little bit nice to be able to see that you've eliminated since 1991 the number of teachers along with the number of administrations.

I think you as a board should be complimented on that kind of an effort because this government feels very strongly that's the area where those cutbacks have to be made. I know that everybody likes to think it's always the young people and the education people we have to worry about, but are we saddling them with a debt they can't afford to pay? I think we've got to take a look at it a realistic way. I think you people have and you're to be congratulated for it.

**Mrs MacGregor:** Thank you. It's been a painful process and no one likes to lay people off, but we have been looking for new and more efficient ways of doing things and, quite frankly, it's because we've been forced into it.

**Mr Rollins:** Thank you very much for your cooperation.

**Mr Patten:** Welcome today, Mrs MacGregor and Mr Murray. As Mr Rollins suggested, you have come up

with a number of areas in really trying to address the financial pressures you have in your school system. But I would point out that what has happened as a result of the financial pressure, as you indicate, is that there are at least three areas in which the government said that it did not want to see this happen: They didn't want to see you increase the mill rate to your taxpayers, they didn't want to see you use user fees because the Premier doesn't agree with user fees — "No user fees," you would have heard him say — and they didn't want to see any impact at all on the classroom. I can see the hundreds of layoffs you have in your board, with a growing board, just have to increase the size of your classroom, do they not?

**Mrs MacGregor:** Yes.

**Mr Patten:** To what degree?

**Mrs MacGregor:** I'm sorry, I don't have figures on that. We have stayed within the limits of our agreement as to what the pupil-teacher ratio is, although we interpreted it more restrictively than we did previously. Quite frankly, we just found it impossible to make the kind of cuts that were required as a result of these recent grant cuts without affecting the classroom.

It may be less difficult for boards that have more latitude in their financing, but those cuts came on top of several years where we had already been making cuts. We felt that we had eliminated all the fat and extras in the board, then we got hit with the new cuts that came on top of that. There was just no latitude for making cuts that wouldn't affect the classroom. You must remember that all of this came on top of the social contract too.

**Mr Patten:** I am aware of that and I know it's not easy. In one sense I know that some school boards which began the process of cost cutting earlier now find themselves, in my opinion, in a position of double jeopardy.

**Mrs MacGregor:** That's quite true. In an area that we find that in particular, I'll give you an example. The new grants with respect to transportation are based on I think a four-year average of the previous year's transportation budgets. During that period we were into triple busing, where one bus does three routes, and in a number of areas we tried to cut down in the transportation. Now, as a result, we will be penalized because of the economies we had made during the years that are being used to average.

**Mr Patten:** Exactly.

**Mr Martin:** I continue to suggest very strongly that this piece of legislation is consistent with this government's attack on children, and poor children in particular, when you look at what's happened so far in their short term in office. I'm surprised a bit to see in your presentation, and maybe you can expand on it for me somewhat, the emphasis you've put on user fees and the use of user fees, because you know and I know that user fees hit those who are least able to afford it more directly and harder than those who are. That would be, in my mind, a continuation of this approach which really undermines the ability of poor families and poor kids to get the education they need to get themselves out of the situation they're in and to become more contributing as citizens in our society today. Would you expand on that?

**Mrs MacGregor:** The main area where we have been pushing for them is in the area of transportation. Only as

recently as last week I was out with one of my home and school associations because we are starting now to talk about the budget for next year. I was saying to them, "Where would you look for us to make cuts that are going to be least hurtful?" and the answer came back: "I can't understand why you're not charging for transportation. I would far sooner make a contribution to the cost of busing my child than see you increase the pupil-teacher ratio, for instance."

What we're talking about is a nominal amount. If, for instance, it was to be \$1 a day for a family in a board where we are busing 28,000 students, that could make a big difference, yet it's not the sort of thing that is going to break a family. You can make provisions. For instance, one of the things we have thought about is a charge for one child — if there's a second or a third child in the family, then they will be exempt from the cost — or make some sort of provision in case of hardship. It would get a little complicated to judge how the school board would judge need, but certainly if we put in any more than a very nominal amount, then we would have to make some provision of that kind.

**Mr Martin:** I would hope you would give that whole area some further very serious thought re the implications it will have for poor families who may not be able to afford to have their kids transported to school and what that will mean in terms of their having to move closer to the schools and the tremendous difficulty it will create, given that we're going to be into user fees in myriad other ways in communities as municipalities begin to look at ways to mitigate the diminishing transfer payments they're now getting. To suggest for a second that \$1 a week or \$1 a day or whatever it is somehow is nominal in a family that's already lost 22% of its income — \$1 is a loaf of bread. Has there been any discussion of that sort happening about the very serious consequence that will have, and how you define "nominal"?

**Mrs MacGregor:** We have not attempted to define nominal at this point. Certainly we have had very serious discussions over this. One of the difficulties is that we are an urban-rural mix and we are unfortunately in the position, in our present financial straits, of considering total elimination of transportation for, for instance, all secondary students because as it stands now, if we made any charge whatsoever we would lose our grants. When we have come to the point that we are considering total elimination of transportation, surely asking for a contribution from parents, most of whom have indicated willingness, even almost eagerness, to pay for transportation, is better than placing all the cost back on the parent, which is the kind of alternative we are looking at.

**The Vice-Chair:** Thank you very much, Mrs MacGregor and Mr Murray, for your presentation.

1100

#### ALGONQUIN COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**The Vice-Chair:** I now call upon Mr Bill Conrod, the vice-president of continuing education at Algonquin College of Applied Arts and Technology. Welcome to our meeting.

**Mr Bill Conrod:** Am I standing between your lunch and this minute?

**The Vice-Chair:** Let it never be said that we would not want to hear from anybody because we wanted to eat. That's not the case. Go ahead.

**Mr Conrod:** Ladies and gentlemen, it may surprise you to find a college person here coming to speak about the changes to the bill. We do so because we are a member of a group of people in this city who have formed a coalition of public providers of education and business interests: the Ottawa-Carleton Learning Foundation. It may be a group you've heard about. We work together hoping to produce maximum delivery of our activity for our community.

Just yesterday, for example, we at Algonquin held a golf tournament raising bursary moneys for needy students at our college. That's the third golf tournament we've been able to organize in this community for education. One is the Peter Gzowski literacy tournament that you may have heard about before — I know those are running all over the country — and there's also one that my foundation, the Ottawa-Carleton Learning Foundation, runs with Apple Computers. The government's agenda to try to partner business interests with education is alive and well in this city and we're doing our part, we believe.

The reason I'm here is to really add my voice to the concern many people have in Ontario about the changes in the bill and its effect on adult education. There is no doubt when you look at the math, boards will be forced to reduce the number of opportunities. There will be fewer adults learning, and that is a concern of ours.

The college is a partner in the delivery of adult education. We have a long history, a good 25 to 30 years now, of delivering adult education, the famous alphabet soup of that area of basic job readiness training and basic training for skills development some of you have heard about. Really we're talking about a large number of our citizens who, for one reason or another, did not complete high school and have discovered, after a rather frustrating cycle of time, that low-security jobs and low-wage jobs do not provide the confidence that one can raise a family in our community, so at some point in that person's life they decide they must go back to school. They probably knew it for a long time, but the decision to come back to school has been made. You have to understand the importance of that, what that must mean to an adult to go back to a place where they originally failed and associate with failure. But they're back, and they're back learning.

That's a group of people in jeopardy right now because of some changes in the bill. We know why the changes are there. We know that finances are behind the whole thing. On the other hand, we have some expectation that through learnfare, people will come forward and join the ranks of studenthood because of that incentive. My caution is, don't turn off the people who are already aboard — that's my concern — because they've made a big step.

I have notes here that speak to sequential events to get your attention on this, but I suspect I've got some of your attention already.



The college could look at this in terms of: "Aha, the competition in the school boards is under some pressure. It'll be business for the college." That's not what we're here for at all, because we do belong to a literacy coalition in the city. We know there are approximately between 4,500 and 5,000 what we would call adult education seats for upgrading, but the precious seats in the school boards are the ones that provide those credits towards an Ontario secondary school diploma.

Colleges can't do that. We cannot give OAC credits. For an adult who knows that if they want to get into the new economy — and let's face it, folks, the new economy in this community is the new economy that Nuala Beck speaks to. We're talking about software engineering, we're talking about high technology, we're talking about life science engineering and technology. Those are programs that people can take at Algonquin, but they have to have their high school sciences and math before they can even enter the place. There's no magic for that, no pill one can take. There is no quick fix for math, science, numeracy and computer skills. It has to be a painstaking, upgrading education to achieve those learning steps.

We're here supporting our colleagues who provide access to the OSSD, the OAC credits that allow those adults who have made the decision to return to school to get on about that business of becoming a sharer in the economy of the country but also a participant in the tax base. They already have to some extent, but they know they have to have their new skills if they're going to get into the new economy. This paper really speaks to that buildup.

I don't want to keep you from lunch, but we're here with a passionate plea that if we, the leaders right now, hold the keys to these people's futures, we have to recognize that more barriers, more closed doors, more hardships, isn't the way to go. These are people who have already made the decision that they want to do something about their lives.

**The Vice-Chair:** You're not holding us from our lunch at all, sir. We're interested in every presentation made to us for the full length of time we've allotted for same. We have, as a result of your short presentation, 21 minutes, or seven minutes per caucus, for questioning.

**Mr Robert Chiarelli (Ottawa West):** Do you support the status quo or do you have some proactive suggestions to make in the area for school boards?

**Mr Conrod:** I'm here primarily to counter what looks to be a retrogressive move for these people. I would suspect, because I know there are waiting lists for people to access all levels of adult education in this city, that more could be done. But I'm also a realist and know we have other problems to solve within our colleges and school boards and what have you.

**Mr Chiarelli:** Is there a relationship between the adult students whom you're familiar with and welfare or support from the province in terms of financial support for different programs?

**Mr Conrod:** There's a high relationship. Many of the people who come to our programs have until very recently been social assistance recipients. There are now changes to that which force people to come and take out

loans to go to college through the Canada student loan program. It's a relatively new wrinkle. It is considered somewhat of a barrier because of the red tape, but I think it's something we can manage. It's just going to take people a little longer to enter.

**Mr Lalonde:** I'm happy to see that you recognize the need of today's requirements. When I say that, I mean that in the past we have forgotten high-tech training, engineering training etc for the new economy, as you mentioned. But do you think Bill 34 is going to give us access to these types of training requirements in this area?

**Mr Conrod:** My colleagues in the school boards tell me that as a result of the funding changes for adult education, they will be forced to make it more difficult for an adult to attend adult education in the school board. It's strictly a capacity and a financial matter for a group of people who we know do not have the additional cash to participate.

**Mr Lalonde:** Especially since the federal government, as much as the provincial government, recognizes that they haven't focused enough on high-tech training in the past. Today, with all the cuts in government at both the federal and provincial levels, money won't be there for these training requirements. The \$400-million cuts at the provincial level will force the student or the adult to have this user fee, as we call it, but the money won't be there for those people, and I don't know what's going to happen with today's economy when we see that the money won't be there for those people to go back to college and to get to this type of training requirement.

1110

**Mr Conrod:** You're very correct to raise the issue of the federal government decisions to back away from what had been traditional responsibilities in adult education. We read in our papers that there are all sorts of constitutional and political reasons to do that, but the fact is, what used to be paid for through Canada Employment, the federal government, in our communities to help the adults I'm talking about come and attend upgrading education — that has been cut off for the last four years.

**Mr Lalonde:** Especially, it's been transferred to the provincial level.

**Mr Conrod:** Well, there's been a push that way, but one cannot see the evidence of transfer; it's fallen through the cracks.

**Mr Silipo:** Thank you very much for your presentation. An earlier presenter, the Ontario English Catholic Teachers' Association, reminded us of some statistics that I know I've seen elsewhere. It was the results of a survey by the continuing education school board administrators' association which show that from adult students across the province, some 51% of all graduates are employed within four months after earning an OSSD and 36% of the rest go on to additional training and education. That's a pretty good success rate, by any standard.

The reason I wanted to underscore that is because we hear a lot from Mike Harris and his government about wanting to give people a hand up. You pointed out earlier that many of the people who are in these courses are also people who are social assistance recipients. It seems to me that the adult education structure as it exists is exactly

the kind of thing that should be in place to give people an opportunity to get the education they need, starting with the basic secondary school diploma and going on from there, yet these are the very programs being cut. Where's the sense of that hand up that the government seems to be so interested in doing? How can we get them to understand that this is completely contrary to what they say they want to do?

**Mr Conrod:** That's what I'm here for, sir, to help add my voice to that. I think there's a major myth about adults who have to go back to secondary school education. The myth is that they're stupid and lazy and that they're not productive people. But if you can remember the people you went to school with who left school early and went out to work, many of them were leaders in our high schools as far as athletics were concerned; certainly in the social aspects of our community they were leaders. They just happened to seize an opportunity and say: "Listen, I can go out and work now. There's a brawn job out there. There's an opportunity where I can make money."

A lot of it was a brawn job, being linemen for certain corporations, or a lot of it was outdoor work. A lot of it is work that has been replaced by technology, and those poor people now find themselves in this cycle of taxi-driving, waiting or waitressing, manual labour, and it's a go-nowhere kind of existence for a person who wants to build. And they're recognizing it. This community every weekend is saying high technology is where the new economy is. "I want in. I'm a taxpayer. I want in on that." We're trying to help them.

I really would like to burst that myth that we're talking about stupid people. We're not. We're talking about people who've already made the decision to come back to school. We've got to give them a hand.

**Mr Martin:** I've been focusing today on this government's attack on children, on poor children in particular, and I suggest to you that this incursion now into adult education and the diminishing of opportunity by way of what's in this bill is actually an attack on the parents of some of the poor kids out there, who find themselves now, because of the changing economy and the difficult economy we're in, without work and needing to get back into education so they can get into some of the jobs you're talking about.

What you've said today here is that any attack on adult education, whether it's in the secondary school level or at the college level, is an attack actually on people and their opportunity to get ahead. You also talked about efforts being made by colleges to try to supplement the money that's available to adult students to come back to school and get involved. I also sense in my own community the private sector adult education institution becoming more prevalent, which means that people pay.

When you look at the issue of lifelong learning, I think we all bought into that over the last five or 10 years. We thought that was a good thing, from as early as we can get kids into school until they're finished changing careers or even after they're finished with their career, in retirement, continuing to try and access some education so they can be better people and all of that. How will all of that impact on this whole idea of lifelong learning, and

more particularly, how will it impact on those who can least afford the kinds of opportunities that now seem to be becoming more prevalent?

**Mr Conrod:** We have data. We have data nationally and we have data provincially that those with less education participate lower in adult education than those with education. That also bears true in our recent survey at Algonquin where we surveyed our fall part-time students and only 4% of our part-time evening students had less than grade 12 — only 4%. You would think, wait a minute, part-time evening, you don't even require a high school leaving to get into it; you just come and take courses. Why wouldn't there be higher? Well, the fact is, folks, unless you've been successful, you just don't go into it. That's why I think it's so important for us to recognize that high school leaving equivalent or what we call in colleges college preparatory adult education, because that's the ticket.

At some point in your life you should attend and maybe be the speaker at one of these adult education graduation ceremonies. It's the most touching thing that you can imagine in your community. How proud these people are, and they bring their children and they bring significant others and they say: "Guess what? I've got a high school leaving now. I'm 42 but I've got one already." It really is a touching thing.

**Mr Martin:** You mentioned if they hadn't achieved a certain level of success to begin with, they don't come. What about the affordability factor? What impact do you think that will have on the number of people as we move to a more private-sector-oriented approach?

**Mr Conrod:** What's been marvellous in Ontario is through the school boards adult education has really been a very good deal for the taxpaying adult because it was picked up by the tax base, unlike the colleges where we actually charge our students to attend adult education, and the reason they come is because either they can't get into the school board or they're not there to get the whole school board credits — they just need enough to get into a college program — or they prefer to do it in a college milieu or they have the money. But clearly here's the concern I have: As you reduce the opportunity for tax-supported adult education — and that's a very low charge and obviously the people who are making the decision to go there don't have an awful lot of money. If that's the point you're making, I certainly agree with it.

1120

**Mr Skarica:** Thank you, sir, for your presentation. I've been at some of those ceremonies, and one of the complaints that I had at those ceremonies from some of the adults was: "I'm pretty highly skilled already. I didn't really need to take the test. But I need the piece of paper, so I had to enrol in the education to get it." I've been to places like Stelco where people with grade 10 education are operating sophisticated computer equipment. It looks like an airline cockpit device. I wouldn't even begin to know what to touch or not to touch. If that person lost their job, they couldn't get a job, basically, without a high school certificate. That person would have to go to get grade 10, 11 or 12.

I'm not sure if you're familiar with this new initiative, but what we've needed for some time is a program where



if you have the skills already there's no need for you to go to school. If you could just write the tests and get your high school equivalency diploma, then you could save all those costs. Are you familiar with the new program coming in that's going to accomplish that?

**Mr Conrod:** The GED?

**Mr Skarica:** Yes. It's coming to Ottawa this September as well as Windsor. I talked to the Windsor people yesterday, and the committee members heard that about 10% of the students could take those tests and not have to go through the training. That's going to be a significant savings down there, because you're looking at \$5,000 per student on a day-adult basis that's saved. What would you estimate the number is here, the number of people who could just do that, who could take the test without having to get any further formal education?

**Mr Conrod:** I'm actually fortunate because I've worked in four jurisdictions. I was in Quebec, at a college there. I was in British Columbia, where, interestingly enough, the Minister of Education, Paul Ramsey, was the director of my adult basic education department up in Prince George. Now I'm in Ontario, but I also had some time in the United States. So I'm familiar with the general education equivalency program that you're talking about.

But interestingly enough, you don't need a credential right now to get into university or college if you show up and say: "Hey, I'm a mature student. I'm over 19, so let me come in, and if I fail, I fail." You don't need that right now.

**Mr Skarica:** But in Windsor we were told a lot of employers would not hire you without the high school certificate.

**Mr Conrod:** You see, here's the issue. Why would an employer want a certificate? Because it must mean something. It must mean attestations for something. Hopefully, that's what that GED is going to become known as in our community; it is in other communities. It's considered the equivalent to some of the high school. I think it's a good move on the part of the government to finally get with it in terms of North America and come up with something. But I don't think it's going to be the panacea that people think it is. I think people know: "I don't have enough algebra. Even if I test out and have a grade 10 equivalency, I know I need algebra if I'm going to move on to calculus." You can't get it in a test; you've got to get it by learning it.

**Mr Skarica:** I'm not saying it's the be-all or end-all, but still, if you cut down 10% of the students, that's a significant savings when you're talking \$5,000 per student.

**Mr Conrod:** Definitely, if that's the result of it.

**Mr Guzzo:** If I could just follow up on Mr Silipo's question, because I think I heard you buying into the submission that Mr Silipo was making with regard to giving direction to the government of the day with regard to extending a hand up. In that regard, I might go back to 1991-92. Were you in Ontario then?

**Mr Conrod:** I was.

**Mr Guzzo:** You recall the government of the day spending its way out of the economic mess that it found itself in and taking the debt of this province from \$50

billion to \$100 billion, which means that our government today must spend \$10 billion a year to service that debt. A debt that was costing \$3 billion in 1985 when the Frank Miller government left now costs \$10 billion to service. That's more than we spend on education, colleges, universities. In your position, in terms of sending that message to me, would you tell me to pay the interest on that debt that the governments had tripled since 1985 or embark upon the program that Mr Silipo was asking you to buy into?

**Mr Conrod:** I obviously am two things when I'm here today: I'm an Ontario citizen who did vote in the last election, and I know where I stood on that issue; at the same time, I'm looking at choices. At Algonquin, we had to cut \$11.5 million out of our operating budget the year we're in right now. We had some tough decisions to make, but some of those decisions did affect the individuals who come to us and expect us to do something about their careers; there's no doubt about it. These are tough times and tough decisions. I'm not one to continue the debt. I wouldn't run my home the way we've been running governments in Canada.

**Mr Guzzo:** Thank you. You've answered my question. I appreciate it.

**Mr Smith:** One quick question. I'm not sure if it's actually a fair one to you or not, but yesterday in Windsor we received a submission from the OSSTF with respect to the definition of adult persons in the bill. Have you given any attention to that? I realize they've probably had the advantage of legal counsel on that interpretation. Do you have similar concerns with the definition as presented in the bill?

**Mr Conrod:** I haven't done that kind of specific homework. I basically trusted my colleagues in the adult-ed domain in the secondary school boards. They actually called the Clarion and said, "Hey, there's something we should be paying attention to, those of us who are in the adult education fraternity." So I just took their word for it, and at quick reading, I think they were correct.

**Mr Preston:** Just one fast one. Because you stated what you've just stated, I'd like to ask a question. They're claiming this is age discrimination. Where does age discrimination start and where does it stop? Is it age discrimination not to give a 15-year-old a driver's licence, not to allow a 16-year-old to drink, a 14-year-old to go in the army? Is that all age discrimination, in your opinion?

**Mr Conrod:** There'd be differences. The issue to me is really the expectation on the part of any citizen to get a level of education that would allow them then to become a participant in their community, an active participant in the economy of the country, a proud neighbour, all of those things we would like in our sons-in-law and daughters-in-law when we talk about our future.

What we have learned in my life is that the fact is it isn't as simple any more as "learn, earn and yearn," where you just studied, then you went to work, you worked in that firm or that company or that job for the rest of your life and then you retired. That business in the middle, that earning period, is very volatile. We can't

even predict what the world of work is going to be like in three years, let alone a lifetime any more. But one thing we can predict: It's going to change. Those stores like Blockbuster Video that are selling cassettes, when they figure out a way to throw that down your telephone, that whole industry will explode or implode. It will vanish just like that. Those are the kinds of things we're facing. We have to prepare our citizens for that amount of change, and that means education, skills.

**The Vice-Chair:** Thank you very much for your short presentation, which allowed for lots of questions and answers and comments by everyone.

1130

TEACHERS' FEDERATION OF CARLETON  
ONTARIO SECONDARY SCHOOL  
TEACHERS' FEDERATION,  
DISTRICT 43, CARLETON

**The Vice-Chair:** Our final presentation for the morning is by Doug Carter, the president of the Teachers' Federation of Carleton, and Larry Capstick, the president of District 43, Carleton. Welcome to our meeting, gentlemen. You have half an hour for your presentation, and that includes any questions or comments there may be from any of the caucuses. Could you identify yourselves for the purpose of Hansard and please begin your presentation.

**Mr Doug Carter:** Thank you and good morning. I'm Doug Carter; I'm president of the Teachers' Federation of Carleton. Speakers this morning have thanked you for allowing them to present to you, and I want to do that as well. Many proposals of the government have been of concern to us, and we asked permission to appear and present on Bill 26 and were denied. We asked permission to appear on Bill 31, the Ontario College of Teachers Act, and were denied, so indeed we are happy to be here today and able to speak to you.

The Teachers' Federation of Carleton represents more than 2,000 public school teachers employed by the Carleton Board of Education and nearly 1,000 occasional teachers who also work for the Carleton board. The Teachers' Federation of Carleton is unique in elementary public education in Ontario. It is the only complete and total amalgamate of the members of the Federation of Women Teachers' Associations of Ontario and the members of the Ontario Public School Teachers' Federation which exists at the local or school board level. The Teachers' Federation of Carleton has existed since the creation of the Carleton Board of Education in 1969. As president of TFC, I wish to convey to you today some of the concerns federation members have about education in Ontario and directions in which the provincial government seems to be going.

Frequently when teacher groups have appeared or made their wishes known, they've been dismissed as a special-interest group. I hope you would listen carefully today and say that not only are we advocating on behalf of our members, the teachers, which is our responsibility, but clearly we're advocating on behalf of students and learning and society.

The provincial treasurer and the Minister of Education and Training have each stated that in 1994-95 the Ontario

school system cost 10% more per pupil than in other provinces. That is approximately \$1 billion more per year. This is not true. Examination of data supplied by Statistics Canada reveals that the average per-pupil expenditure in Ontario is higher than the average for other provinces, about \$165 per pupil per year higher, or just under \$400 million more in total, not the stated \$1 billion. Ontario's cost is higher because Ontario has traditionally defined a broader educational mandate than other provinces. The costs of health and social services for children at risk, English as a second language and multicultural initiatives are all included in the Ontario expenditures.

The Minister of Education and Training is fond of quoting the Ontario School Board Reduction Task Force definition and quantifying of classroom and non-classroom expenditures in Ontario. Supposedly the minister would have us believe that 47% of educational expenditures are outside the classroom.

Earlier today, one of my colleagues reminded you that last autumn a local coalition of school boards and teachers' federations sponsored a forum here in the national capital region at which we contributed money to bring John Sweeney, the chair of the task force, to town. At that time, Mr Sweeney conceded that his definition of classroom expenditures did not include essential services to students. He did not include items such as special education teachers, teacher assistants, guidance counselors, teacher-librarians; he didn't even include school principals. He did not include in his definition expenditures for student transportation, although it would seem self-evident that if pupils in rural areas are not transported to school, then they are most likely prohibited from attending school. Mr Sweeney admitted at that forum that his definition of classroom and non-classroom expenditure was quite arbitrary. The minister's frequent usage of the 47% quote is misleading and creates a misperception in the public through the media.

There is considerable concern within all parts of the educational sector about some of the personnel within the Ministry of Education and Training. Many of the policy advisers and decision-makers appear to have very little actual experience working in schools and understanding the impacts of their decisions. Similarly, while we all recognize the essential need to take all views into consideration, minority groups from some sectors appear to be overrepresented at the ministry level. One sometimes wonders how much of this 47% the minister likes to quote is spent within the ministry itself.

The members of the TFC, like all other citizens of Ontario, want and indeed expect efficient use of their tax dollars. Everyone wants a government and an educational system where value is obtained for every dollar spent. But there is a difference. The members of the TFC wish to remind the government that the business of business is to make money; the business of government is to safeguard its citizenry and, where necessary, to redistribute wealth. In health and social services and education, the important bottom line is not the financial bottom line but the wellbeing and the interests of society.

Let me turn to the junior kindergarten proposals, of which you've heard a lot about already today. If the



amendments to the Education Act which are under consideration by this committee are passed into law, junior kindergarten will become a permissive program. This will accomplish a promise of the Common Sense Revolution to make JK optional. All of us are aware of the growing body of evidence which repeatedly shows that junior kindergarten is a very important part of early childhood education. For the Love of Learning, the report of the royal commission, advocates increased early childhood education.

We have heard even this morning the statement that for every dollar spent on early childhood education there are \$7 saved in future expenditures in health, welfare and the criminal justice system.

In a draft report last November, the Ministry of Education and Training showed that it was aware of the important nature of programs such as JK. Statements from the ministry have publicly acknowledged that studies of the importance of early childhood education and kindergarten are continuing. We would urge the ministry to consult widely and to complete the studies quickly, because we believe an objective review will confirm that early childhood education experiences, of which JK is an integral part, are important for later academic achievement.

You heard earlier this morning that the Carleton Board of Education decided to cancel its junior kindergarten program. It is the only area board to cancel JK. The board made this decision to save \$2.8 million when it cancelled JK while it was establishing its 1996 budget and at the same time increasing the local mill rate. While saving this \$2.8 million, the board also decided to place an additional \$3.1 million into its reserves, which now total approximately \$18 million. The government has determinedly followed its policy to make JK optional. Despite the knowledge that JK is an important program, the government has demonstrated that the prime objective is to cut government expenditures. The Carleton Board of Education has demonstrated that large reserves are more important than junior kindergarten.

Another section of the Common Sense Revolution says that classroom funding will be guaranteed. In the Carleton Board of Education, for 2,700 junior kindergarten students and for 85 laid-off teachers, there will be no classrooms requiring funding next September.

If we turn to sick leave, Bill 34 will repeal the provision of the Education Act which gives teachers access to 20 days of sick leave per year. Other groups have provided information to this committee to demonstrate that the 20 days of sick leave per year is not incongruent with many comparator groups. Members of the Teachers' Federation of Carleton believe that these proposals are not because the entitlement is unreasonable or that teachers take a disproportionate number of sick days per year; there is no evidence of either.

Among the members whom I represent, the average annual absence is 8.9 days per year. This number includes all types of teacher absences, not just sick leave. Unused sick leave days are accumulated and used to avoid disruption to earnings — it's a type of insurance — should a major illness occur in future years. If a teacher is not ill and has an accumulation of unused sick

leave days, the teacher may receive a service payment of up to half a year's salary when they leave the employ of the board. This is the misnamed retirement gratuity; there's nothing gratuitous about it. Teachers have sought to delink the payment from sick leave for many years. Currently, a teacher must accumulate 200 sick leave days, that's the equivalent of never having been ill for a 10-year period, to qualify for the maximum payment.

Despite decades of cautioning from teacher groups, most school boards have chosen not to adequately fund their responsibilities and liabilities in this regard. The provincial governments since 1992 have been putting pressure on the school boards to contain and reduce expenditures. The various trustee organizations have asked the government to give them relief from the unfunded liabilities of both sick leave and the gratuity. This government appears willing to give the trustees the tools to strip teacher benefits. This is the kind of mean-spirited action teachers have come to expect from this minister.

This is the same minister who has commissioned push polls, used focus group testing, has planted setup questions in the Legislature and who began his tenure by vowing to invent a crisis. It should be of no surprise to you that he has not found much favour with the teachers of this province. Since his swearing in, he has not had very much positive to say about teachers and the difficult task they perform daily. Teachers despair not just because they feel not valued by the minister but because their work is not valued and, despite the rhetoric, it really appears that children are not very important to this government.

I will leave comments on other proposals contained in Bill 34 to others more directly affected unless the members of the committee wish to raise questions about them. Bill 34 attacks three fundamental components of public education in this province: junior kindergarten, adult education and the autonomy of local taxation. It does not in any meaningful way address the lack of cooperative agreements in the public sector; it does appear to undermine the principles of universality and equity which we thought we had established in this province.

The expenditure reductions to elementary and secondary education and the provisions of Bill 34 mandate significant change to the system. The change is occurring at such a rapid pace as to preclude significant public consultation or analysis of the impacts. The government has embarked on a series of cynical attacks on teachers to gain public support for its programs of expenditure reductions and its ineffective trickle-down economics. The Teachers' Federation of Carleton is not in support of these proposals contained in Bill 34.

With me today is Mr Larry Capstick, president of District 43 OSSTF.

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**Mr Larry Capstick:** This morning I wish to address three issues, and I don't intend to belabour two of them because earlier participants here have done so, that is, the adult education issue and the sick leave provisions in the act and a third item which deals with the positions of responsibility.

As far as the adult education, I find it would be very difficult to add anything more to the rather enlightened

and passionate comments that were given by Mr Conrod previously. There is certainly no doubt in my mind that adult education is the largest single growth industry in education at this time in North America. One need only take a walk down Queen Street here and across the canal to the University of Ottawa to find that adult education and literature related to it is increasing dramatically.

In the Carleton Board of Education, during our recent budget debates, as the chairman this morning alluded to, there were numerous presentations made by participants in the adult education program in Carleton, by employers from Carleton who accessed the cooperative education students in that program, by a member of the Nepean Chamber of Commerce, who stood at the microphone and said he would be more than happy to pay a few more dollars in taxes to guarantee that program continued. I have provided as part of the backup a needs assessment survey which was prepared by the students and staff themselves at the adult day school. Again, I appreciate how difficult it is for the members of this committee going around the province and having an opportunity to normally hit only urban centres, not to be able to actually access a variety of rural settings because, to be quite honest, I don't believe there are any two boards that are probably the same or identical when it comes to these sorts of things. Therefore, in my part of the report I've tried to focus simply on Carleton to give you a synoptic view of what I deal with on a regular and daily basis.

You will see in that survey at the result the large number of new Canadians who access this program. That may not be the case in other centres. Certainly, in the high school that I left, we have seven full-time teachers engaged in English as a second language. A large number of immigrant groups ended up in that school, a school which, to be honest, was totally unprepared to deal with them because of a lack of training and/or experience, and repeated requests by myself and by our board, our trustees to the federal government to assume some of the financial liability and responsibility for providing these programs met with deaf ears. Hence it is downloaded on to the provincial government, the provincial government on to the local boards, the local boards on to the schools and in the classroom I as a teacher cope. The best word I can use to describe it is "cope."

Many of these are adult students and certainly our success rate in Carleton — I'll finish off the adult portion by saying 80%-plus go directly into post-secondary education or the workforce. I can't think of an educational jurisdiction in the province with a higher success rate, and I applaud the decision of our trustees who, given that data as well as given a financial scenario which compared what currently exists with what might occur were they to change the funding and the anticipated number of students who would drop out of the program — the board would have saved \$26,000 as a result of that funding. Hence, the trustees took it upon themselves to proceed with adult education as it is currently delivered, and I applaud them for that decision.

The second issue, dealing with the sick leave provisions — again, I don't want to engage here in the debate. I simply want to highlight for the members present the provisions that are put forward in this bill are being

perceived by educators as an attack upon them. We've done something wrong; now we must be punished for that. One of the ways of accumulating savings is through the sick leave provision. Changing this act, making it a negotiable item — in our case, at the secondary panel, as I indicate in my brief, 4.5 days on average for males, 8 days per year for females.

The school I left a year and a half ago is larger than the home town I was raised in: three full-time doctors, two full-time dentists, a police force, a volunteer fire department, I can go on and on. I have nobody except a principal, two vice-principals and sometimes a public health nurse when they need to do immunization. On top of that, we're dealing with the issues related to the new Canadians coming in and the problems they need to have addressed, our students who are coming from an increasingly diverse background — and again, Carleton is not strictly an urban board; it's a rural board which is attached to an urban board, and we have such a mix of clientele that it is very, very difficult for us to address these issues.

I want to point out long-term disability, which is a problem that I as president of my district have had to come to grips with. The cost is exorbitant and increasing steadily, approximately \$1,000 a year per member. Last year we went to the insurance companies and asked for bids, proposals to provide us. We received nothing but thanks-no-thanks letters, "We're not interested in providing you with a bid." We can't get an insurance company that will offer, even put forward a proposal for us to consider.

**Mr Preston:** On what was that?

**Mr Capstick:** On long-term disability, our insurance, because of the numbers of teachers who are having to access long-term disability. The rates in this province are higher than almost every other employee group.

The third item, and the one which has not been addressed this morning, is the changes in the act with relation to regulation 298, sections 14, 15 and 16, teachers in charge of organizational units. The reason I raise this particular issue is because I see a serious contradictory message being sent here. We had the Royal Commission on Learning, which very clearly put forward its recommendations and upon which the government and previous governments were proposing changes. In those recommendations from the royal commission, they talked about the importance of ongoing professional development, they talked about the need for organization, adaptability to change and so on.

This year we are in the process of implementing school councils in all of our schools in Carleton. I sat in on the debates which helped set up the constitutions and the bylaws by which these school councils will operate, and I'll be quite honest, I have been most supportive of them, because I feel at this stage they are the only support mechanism an individual school has, the parents of the students who are in those schools. Those parents, when we sat down and were involved in these meetings, talked about the importance of professional development and wanting to know how teachers were engaged in it, what was involved in it, how the school was run and how it was organized.



I now have a further complication. I have a draft proposal of secondary school reform, what I consider to be probably one of the most significant changes in secondary education in this province that we've seen in many a decade, at least the ramifications of it. The amount of change in curriculum, curriculum delivery and evaluation is enormous. I personally have been engaged in the last several years in the Ontario academic credit program for province-wide testing, that is, examinations at the OAC level. I went to several meetings at ministry offices, how-to, spent hours and hours preparing examinations to submit to the ministry, all for validation and standardization across the province. I see all of these requests out there from the government, from the parents, from business, even from labour. How is that to be accomplished, I ask you, by Bill 34, which removes or permits the removal of those individuals who would normally be responsible for supervising that, or at least being engaged in it directly?

At this point in time, within the Carleton board I have one school which is reorganizing today, hiring staff — not hiring staff; I shouldn't say that, but allocating staff. The incumbent business head is retiring. That school is eliminating the business department and allocating business subjects to other areas, such as math and history and whatever. There would be no business department at a time when, as we've just heard Mr Conrod say, and we've had other people talk about cooperative education programs and we've seen the secondary school reform — I have taught in the co-op program; one of the largest groups of employers in the business community. We have a current competition going on in the board for a cooperative position of responsibility. On the ad it says, "Specialist qualifications an asset." It is no longer required. This bill hasn't been passed, but its impact is already being felt; it's already happening out there. I think it is happening to the detriment of the system, because I don't know, my colleagues don't know, what you want. What is the goal? What is your ultimate objective here in terms of an end product coming out of the system, and therefore beyond the recommendations? The recommendations are those of the federation, which I'm sure you've already received in the brief.

1150

I'm speaking to you personally as an individual teacher in the classroom. If there is nothing else this committee does, will it please address this issue of establishing for the province a clear set of goals as to what you want at the end of the secondary school system? As a teacher, I cannot be bounced from pillar to post much longer in terms of the changes I have gone through in the 22 years I have been in this profession.

Certainly, as the liaison for the Ontario Teachers' Federation to the faculty of education, which is sitting on the other side of the canal — they are sitting there saying to themselves, because they have a whole crop of new teachers coming in next year, 350 people, the vast majority of whom have master's degrees or better who aren't required any more. You won't need them because you don't need positions of responsibility. Members of the faculty, members of the teaching profession have now included in their jargon new phraseology: "The dumping down of education in Ontario."

I would seriously consider leaving the profession if dumping down of education in Ontario is the intent of this government or this legislation as well as other pieces of legislation.

**Mr Silpo:** Thank you very much for the presentation to both of you. I'm going to ask a question and leave it up to you as to which of you will answer it. I appreciate very much the presentation.

I'll start with one of the last points you made, your calling for a clear statement of intent with regard to the whole future of education, and secondary education in particular. Unfortunately, what we are getting from this government more and more is that the only intent it has with respect to education is cutting down the money we spend on it.

The backdrop, to go back to the beginning of your presentation, is exactly that. What we see is the minister not hesitating to misquote numbers, whether they're the statistics that in his view indicate we're spending proportionately more — and I was glad to see you correct that in your presentation — or continuing to refer to Mr Sweeney even though Mr Sweeney has, certainly here in Carleton and other places, clarified that the statistics he used were arbitrary and do not reflect the reality of the situation out there. That's what we are getting from this government more and more, a sense that what it needs to be doing is cutting.

One of the things that troubles me is that we aren't even getting what one might be able to somehow understand, which is to say, if we need to cut in the whole system to move that money into another area of education where we need to be spending more, then that would seem to me to have at least some potential merit. But what we are getting here instead is a constant push to take \$1 billion out of education over this one year alone — we don't know what's coming over the next year or two; I think we can expect more in the way of cuts — just so the government can continue to reduce the deficit and continue to pay for the tax cut, which my friends across don't like to mention as being part of what will also add to the debt over the next five years.

As teachers who obviously see this kind of pressure exerted and resulting, day to day, in cuts in the classroom, how far can we go before we will no longer have a school system that is considered to be among the best in the world, as I believe ours is today?

**Mr Capstick:** I'll take a crack at it first. Let me begin by suggesting that in your preamble — and I mean this with no disrespect. However, this morning I've heard a number of responses from gentlemen on all sides that are purely political statements. I spent two and a half years working up there on the other hill before I went into teaching and I'm well aware of the necessity for that. I'll call it political speechmaking. Once that is stated, however, one thing is very clear to me: You must move beyond the politics and get down to hard tack. It's got to hit the road at some point and we've got to know what we want and how we want it. Even before this government's recent initiative, and previous governments', there were impacts on the classroom.

My last year in the classroom — again, it sounds like whining, and God knows I listen to enough whining from

my students — I bought the OA textbooks at the second-hand bookstore because there was no money; I bought the complete set. I know the realities out there. I know that in one half of the room they sat there with coats on in the winter and froze; in the other half of the room they could have been in shorts and T-shirts — the quality of the building they're in. Yes, we've got problems. We can walk through various schools. Certainly you people as members are quite welcome to visit your schools and have done so. You've seen the good points and the bad points. More often than not, I'm afraid you're stuck on the stage for commencement rather than during the regular day-to-day activities.

This has been an ongoing situation, an ongoing problem. I'm not going to pretend I have the answers to these. Certainly I recognize it's out there. I know my colleagues are doing their best. I know they are doing their best to try and address the needs of the student. I still maintain that on any given day when you walk into that classroom and that door shuts, the vast majority of teachers are giving to their students because that's why they're there. I still maintain that is what keeps this system afloat. I will defend anyone on the quality of the students we produce in this province. There is no crisis in terms of the graduates.

**Mr Silipo:** I couldn't agree more with that. I appreciate your admonition to all of us, I suppose, in terms of political statements, although I would suggest to you that what is happening right now is very political in terms of the decisions that are being made.

**Mr Capstick:** Most definitely.

**Mr Silipo:** I think it's incumbent upon us to raise our perspective on that.

**The Vice-Chair:** Your time has come to an end. I've got three speakers on the government side, so govern yourself accordingly.

**Mr Skarica:** I'll try to be quick. I'd like to talk to page 5, if I could — and I think it was Mr Capstick — of the first presentation, where you refer to the "mean-spirited actions teachers have come to expect from this minister" and then refer to some conduct. I'd like to make this comment: I've found it very disappointing that there isn't a cooperative spirit. I know your federation blames us, but I recall my first political appearance was at your annual conference at the Inn on the Park. I think it was early August 1996. I arrived at noon and the press asked me, "What do you think about Mr Manners declaring war on you people?" The only thing that had been cut at that time was my hair. It's a two-way street. I think that comments like "mean-spirited" and so on and so forth — I deny that. We care about education as much as you do. I know this is a political speech, but I believe it as fervently as you do. You care about the students. Well, so do we, and calling people names — "mean-spirited" — does not accomplish anything.

**The Vice-Chair:** Do you have any comment, quickly?

**Mr Carter:** Yes, I do. To respond to that, to begin with, you've confused the two of us. Those comments were mine and the Inn on the Park was the OSSTF conference. But in August of last year Mr Snobelen did come to the Constellation Hotel and delivered his first public speech and talked about service organization and front-line providers and all the terminology.

**Interjection:** Do you object to —

**Mr Carter:** What I'm saying to you, and what we have been saying consistently, is that every time there's been an attempt to be cooperative or collaborative, the response has been to attack the teachers and say: "You must talk on our agenda. Cut the money, cut the money, cut the money."

To cut sick leave doesn't save money. It reduces us into a 100-plus negotiating situation with this province, an adversarial thing that's bound to be confrontive. Teachers aren't away 20 days a year. You heard the chair of the board this morning tell you that if you limit the gratuity now, it'll take you 20 years. That's not the problem. The problem is that the government has lost its focus. The focus is on quality of education, like it should be on quality of health care and on services to the citizenry. Secondly is their fiduciary responsibility. I'm sorry if you are offended by it, but I think it's time we say, "If it smells like a rose and it looks like a rose, we should call it a rose, and if it isn't, we should find the proper name for it."

1200

**Mr Preston:** I'm very interested in some of those comments myself. I'm very interested in Mr Silipo's situation, in that that government of the day said, "You will save this," didn't give anybody any opportunity, said: "You're going to be off seven days. You're going to work seven days; you're not going to be paid. You're going to work five days; you're not going to be paid." They recognized at that time that we had to do better for less. Of course, when we try to do it now, it's a problem. We're on the backs of everybody and we're beasts who don't care about children. I happen to have six children and 12 grandchildren. I care greatly about what happens to the children in this province.

I would guess that as agents for the teachers, you would be against alternative methods and alternative sites for early childhood education, which we continually confuse with junior kindergarten. Would you be against alternative sites and alternative educators, if it did the job? Let's put it that way.

**Mr Carter:** I heard your comments this morning when you were referring to your wife as a teacher and I think it was your daughter as an early childhood educator.

**Mr Preston:** No, my daughter-in-law, but my daughter is too.

**Mr Carter:** I would presume that you'd then understand the difference in the training and the difference in the skill sets. In fact, right here at the University of Ottawa they have come up with a special program where early childhood educators can attend and gain a bachelor of education degree.

There is no opposition to looking into alternative delivery styles. But the problem is when we start looking at it by automatically assuming that the current style is without value and can be eliminated. The trickle-down economics said that 85 of the lowest-paid teachers in the board in my membership are going to be without work next year; 75 kindergarten lunchtime monitors who are being paid just about the minimum wage and don't have a large skill set are also the people who are being put out of work. Those are the people who are not going to be



making money to contribute to this economy, but rather are going to be something the economy's going to have to look for as they go to it. That's of concern to me and I would suggest should be of concern to everybody.

**Mr Pettit:** I've asked this earlier; I'm going to ask it again. Do either of your federations feel that your boards have done everything possible to find savings without affecting the classroom, yes or no? If the answer is no, could you give us some thoughts as to where they should be going?

**Mr Carter:** I'll give you a very brief "no" and then let my colleague answer it, because I don't want to take all the answers. No, they have not, and when they cancel junior kindergarten to save \$2.8 million and continue to build reserves, putting over \$3 million in, I'm telling you they're not doing everything they can to save money and not affect the classroom.

**Mr Pettit:** What exactly are these reserves set aside for?

**Mr Carter:** They have them for a variety of things, and the more often you ask the question, the longer the explanations become. My background is in teacher bargaining. I first negotiated with the Carleton Board of Education in 1978. They talked about their unfunded liability and retirement gratuity. We said: "You should start saving. You can tell what you're going to need by the end of the century." They set up their retirement gratuity reserve fund last year.

**The Vice-Chair:** Any comment, Mr Capstick?

**Mr Capstick:** I think I'll leave it at that.

**Mr Chiarelli:** I've got a question for Doug. A number of people have mentioned that this really is not an education bill, that it's not a John Snobelen education bill, that it's an Ernie Eves budget bill. You alluded to the \$1-billion-plus in cuts. As MPPs, we all know that Charles Harnick, as Attorney General, has to cut, and all the other ministers; MNR has to cut, and so on and so forth. We're talking fiscal policy; we're not talking education policy. You're kind of a little tool of Ernie Eves in terms of achieving certain cuts.

The question I have to you is a budget question: Where would you recommend to Ernie Eves that he find the \$1 billion he's taking out of education? We're talking fiscal policy, we're not talking education policy, and I think we have to look at the broader story, the broader picture of what we're involved in, because you are seen as a special-interest group. You're here representing the interests of teachers. You don't represent the public as far as this government is concerned. They represent the public, the taxpayer. Where would you recommend to Ernie Eves that you find the \$1 billion that he's taking out of the system?

**Mr Carter:** Let me start by telling you that teachers are taxpayers too and nobody wants to pay more taxes than they have to. I said to you that everybody expects efficient use of their tax dollars, but I believe there are some services that are provided by the government — and that's why I said the business of business is to make money but the business of government is different — where you operate with a scalpel rather than with a broadaxe. I believe there are efficiencies to be found. It could be in following some of the recommendations

about taking more of a provincial lead in curriculum development, which has been abdicated by the provincial government for a number of years.

We could look at a lot of things. You heard talk this morning about the 85 factor. It isn't all the solution, but certainly there is a solution to, say, make it easier for the people who are about to retire to retire sooner, because if you have in the average around this province a teacher at maximum categories and years of experience, you're paying him about \$60,000, and the entry level is about \$32,000, yet we consistently make it more difficult for them to leave. We know of the stress particularly on the older teachers. In our long-term disability plan, the statistics would tell us for a group with our demographics we would expect five to seven teachers per thousand. I have 2,000 members and I have almost 40 people on LTD, most of them stress-related.

Where do you take out the \$1 billion? First, I would have some things to say about the tax cut, but then I have things to say about the election and when promises were made when people didn't expect to be elected too.

**Mr Preston:** I find it very interesting that he used the word "we" in connection with the —

**Mr Carter:** Well, I'm a teacher.

**The Vice-Chair:** Just a minute, Mr Preston. Mr Patten has the floor.

**Mr Patten:** A few comments on your intro, when you talked about the comparisons that were used between Ontario's school system and the rest of the provinces: The more we got into this the more we discovered, and even the deputy minister agreed at estimates, that the comparisons were not really justifiable. He was to come back to provide some more comparisons of apples to apples. As a matter of fact, the OSSTF did somewhat of a comparison. Their suggestion was that after these cuts Ontario would be below, not even including Ontario, the average of all the other provinces in terms of their monetary commitment to education. I just wanted to point that out.

The other point I'd like to ask about is in terms of your projections on layoffs, because I'm hearing some astounding figures of a loss of teachers across the province that are going anywhere from 8,000 to 12,000 over the next couple of years. What's your projection? If we take the \$400 million for this year and we annualize that, and we know there probably is a bigger hit coming in 1997 than there will be this year, somewhat modified by the capital amount of money that was included in the \$400 million, what's your projection on layoffs, actual job losses to teachers?

**Mr Carter:** At this moment in time I don't have a particular projection. I know it is a concern that has been raised at the Ontario Teachers' Federation level — again, my association with the faculty of education. I'm aware of what's happening at the faculties all over the province. We have been downsized this year and downsized in the past through the social contract. There was absolutely nothing to put a cap on at the faculties of education, so they have continued to churn out graduates. As a teachers' group, we have been highlighting with the faculties and the deans of the faculties of education that this is a serious problem.

My grave concern is that we are going to have a segment of our teaching population where there will literally be a vacuum. Historically, we've had a situation where you have the older teachers mentoring the younger teachers as they come in and a constant progression through. We're coming to the point where we have a serious age gap. I think the average age of the graduate at the University of Ottawa last year was something like 31 or 32 years. They don't have a hope of a job, or the vast majority don't, for the next three, four years. By that time they are out of the profession and therefore we won't have that continuity. Again, it's something we're working at from a federation level and trying to work in collaboration with the universities, but they do not of course —

**The Vice-Chair:** Thank you very much, gentlemen, for your presentation. It's a good time to recess for lunch. At 1 o'clock we're back.

*The committee recessed from 1210 to 1300.*

**The Vice-Chair:** I'd like to call our hearing to order, please. We can start with our presentations this afternoon. I'd like to welcome everyone to the committee this afternoon, to our public hearings on Bill 34.

#### RENFREW COUNTY TEACHER AFFILIATES

**The Vice-Chair:** Our first presentation this afternoon is by the Renfrew County Women Teachers' Association, president Lila Paddock. But I see a whole bunch of other people there, so maybe you could introduce yourselves as you go along. We look forward to your presentation.

**Mrs Lila Paddock:** Before we begin I apologize for the error on the front of our brief, which should have said "to the standing committee on social development." I apologize for that.

**The Vice-Chair:** We were about to reject it, but what the heck.

**Mrs Paddock:** It is my pleasure to introduce the presenters and our head office advisers and colleagues. I am Lila Paddock, president of the Renfrew County Women Teachers' Association. Beginning on my left is Sheryl Hoshizaki, president of the Federation of Women Teachers' Associations of Ontario. On my right is Pierrette Rhéaume, l'Association des enseignantes et des enseignants franco-ontariens, or AEFO, Renfrew unit elementary president; George Hooper, Renfrew unit Secondary School Teachers' Federation district president; Roger Perry, Renfrew Ontario English Catholic Teachers' Association unit president; Duncan Jewell, director of counselling and bargaining services, Ontario Public School Teachers' Federation; Neil Doherty, member of the secretariat, Ontario English Catholic Teachers' Association. I will begin.

**The Vice-Chair:** We have a greater delegation than we have number of government members on this committee.

**Mrs Paddock:** The Renfrew County Teacher Affiliates is pleased to have the opportunity to present our concerns about Bill 34, An Act to amend the Education Act.

Before the affiliates deal with the specific provisions of Bill 34, it is important to address the government's contention that the \$400-million reduction in the 1996 provincial grants to school boards can be implemented without affecting the classroom, no matter how narrowly

one defines the classroom. It should also be noted that the \$400-million reduction in this year's grants will actually amount to about a \$800-million reduction in school board budgets over the 1996-97 school year.

The Renfrew county affiliates endorse the cooperative agreements' amendment and further agree with equalization payments subject to the comments made when that section is addressed in this brief.

However, the Renfrew county affiliates are adamantly opposed to the amendments on junior kindergarten, adult education and sick leave entitlement. The junior kindergarten and adult education amendments are an attack on those in our society who are most vulnerable. We affirm our commitment, in rejecting these amendments, to maintaining equality of educational opportunity for all.

All of the changes proposed in Bill 34 are made for the sole purpose of cutting costs quickly, yet nowhere has anyone addressed how these changes, made in isolation, fit into the broader vision of what we believe our education system should accomplish and provide. The affiliates urge the social development committee to slow down and give serious consideration to all the issues. The affiliates urge the provincial government to reconsider many of the decisions which have led to the directions proposed in Bill 34. We do, however, encourage the government to pursue better integration of services for children, the proposal you will find in the cooperative measures section of Bill 34.

It is this legacy of concern for the common good and this commitment to distributive justice that lead us to reject the educational and social priorities of the government, specifically with respect to junior kindergarten and adult education. The Renfrew county affiliates view the amendment as the beginning of an assault upon public education through inducing a financial crisis in assessment-poor boards and decertifying the teachers involved in these programs.

We view the amendments made to the Education Act with respect to sick leave provisions as an attempt to contract-strip with respect to sick leave and retirement gratuity. Serious labour unrest in the education sector is guaranteed by such proposals.

We reject the thinking of the government that economic considerations are to be the new standard directed towards ensuring a major tax cut, regardless of the consequences to education or the welfare of Ontario generally. The affiliates are committed to preserving the continuity of program and quality of education in Ontario.

To much of the industrialized world, it is barely conceivable that Ontario is actually still questioning the long-term value of early childhood education. In much of Europe, Japan and elsewhere, it is a given. For decades they have brought their three- and four-year-olds to the education system. For decades they have seen the benefits.

Bill 34 will delete the requirement that schools must operate junior kindergarten. Therefore, junior kindergarten will no longer be an option for many boards, because ending it is the easiest way to find the savings imposed by the cuts in the grants. We believe this to be a totally regressive step from an educational perspective.



The report of the Royal Commission on Learning, 1994, identified that early childhood education significantly helps in providing a level playing field of opportunity and experience for every child, irrespective of background. The report of the Royal Commission on Learning recommends that early childhood education be provided by all school boards to all children from three to five years of age.

A draft report of the Ministry of Education and Training dated November 3, 1995, indicates clearly that the ministry is well aware of the importance of these programs:

"Research consistently indicates that high-quality early childhood education experiences are important for later achievement, especially for disadvantaged children. It further indicates that academic gains are higher when early childhood education programs provide a stable, consistent environment, have well-planned curriculum led by highly trained professionals, promote high levels of interaction between adults and children, and have high levels of parent involvement."

From an educational perspective, we respectfully request that the government rethink its course of action with respect to junior kindergarten.

The affiliates submit that the following facts apply to junior kindergarten:

Promoting the wellbeing of children and defending their entitlements must become society's highest priority.

Children have the right to secure life, education and the opportunity to achieve their potential.

A country that is trying to raise educational standards cannot afford to lose out by allowing its youngest children to be undereducated at a time in their development when they are most open to new learning.

Due to the time restraints, I will leave pages 4 to 7 for your study.

Pierrette Rhéaume will continue on page 7.

**M<sup>me</sup> Pierrette Rhéaume :** Bonjour, mesdames et messieurs. Il y a une grande marge entre les enfants qui arrivent à l'école mentalement, physiquement et intellectuellement prêts à apprendre et les enfants qui viennent à l'école handicapés par un manque de stimulation et de soutien moral. Avec le programme de la maternelle, chaque enfant a la chance de développer son potentiel et mieux s'adapter aux exigences de la société. Autrement, nous créons un système éducatif à deux paliers. D'une part, les familles démunies seront sans support, et d'autre part, les enfants provenant de classes supérieures auront un avantage marqué dans leur éducation.

L'Ontario se doit d'être fier de son programme de maternelle. Lorsqu'il sera annulé par les conseils scolaires suite aux coupures budgétaires, les jeunes enfants, la plupart de familles démunies, seront privés d'une situation d'apprentissage importante.

Toutes les recherches sur la petite enfance supportent le fait que la maternelle est un programme qui doit continuer et être financé adéquatement.

À peu près 90 % des conseils séparés catholiques romains et 60 % des conseils publiques en Ontario maintiennent un programme de maternelle. La réduction d'octrois par élève a un impact néfaste sur ces conseils scolaires, dont un grand nombre sont à faible revenu. Ces

conseils à moindre revenu auront une subvention de 30 % de moins par enfant sous le niveau de 1995.

Pour les conseils démunis, offrir le programme de la maternelle signifie soit une augmentation de taxes aux contribuables ou d'autres coupures au niveau du budget éducatif. Vu la grande quantité de conseils scolaires offrant une maternelle, nous considérons cette coupure comme une attaque directe à l'éducation.

Nos recommandations : que les maternelles soient maintenues dans la Loi sur l'éducation comme étant un programme obligatoire avec des enseignantes et des enseignants diplômés, et que le financement demeure au niveau actuel.

Maintenant je vous présente George Hooper, qui poursuivra la présentation du mémoire.

**1310**

**Mr George Hooper:** Adult education programs in Ontario public secondary schools are extremely successful. Each school year we meet the needs of 80,000 daytime students aged 21 and over. Eighty-three per cent of adult students get a job or go on to further education after leaving our programs. They stay in our schools on an average less than one year because our full service programs, such as cooperative education and prior learning assessment, can meet their twin needs of getting a diploma and obtaining job skills.

In announcing the changes included in Bill 34, the Minister of Education and Training indicated that the legislation would "provide flexibility to school boards with respect to adult education by enabling school boards to direct certain adult pupils to continuing education credit courses."

We must not be fooled by the word "flexibility." The minister has already announced that effective the 1996-97 school year, the ministry will no longer fund students over the age of 21 as regular day students. If there is no funding for these students as regular day school students, there will be no flexibility for school boards as to where the students are enrolled.

But this legislation goes further than students over the age of 21. It denies regular day school programs for many others, including those who were attending school only part-time and so were unable to complete their qualifications for graduation within regular time lines and those who left school and now want to return to obtain their secondary school diploma.

Making the courses available only through continuing education is severely limiting the access of adults who will have to complete their secondary school education. Women will be particularly disadvantaged since juggling family and work responsibilities with school classes will be even more difficult. We also question whether the same range of options can be available for women in the continuing education program.

When introducing the legislation, the minister also said, "Our responsibility as leaders of the education sector is to create an educational system that is both excellent and affordable." Regrettably, we note the minister no longer includes "accessible" in this list.

I'd like to go through to paragraph 9.15 on page 12 and just mention one or two of these points.

A recent survey by the Continuing Education School Board Administrators' Association, including all boards

in the province, found that 50.87% of all graduates are employed four months after earning their OSSD; 36.1% of all unemployed are enrolled in additional training and education. You can see the numbers there below.

Public school facilities are available throughout the province and in some communities are the only educational facility. The universality of access boards provides and serves adult learners well, especially in Renfrew county.

Now we go over to page 15.

Conclusion: The legislation provisions which are tabled in respect to adult education will have the effect of constraining the education of students who presently avail themselves of opportunities to earn credits and acquire skills for further education, training or job placement consonant with their present family or employment obligations.

It would certainly appear that the ministry's position with respect to the differentiation of staffing has been set far in advance of any findings or recommendations of the announced study group on the issue. The provisions are nothing less than the decertification and deprofessionalization of instruction for adult learners. With the implementation of monetary savings which accrue through the use of unqualified instructors rather than certified professionals, savings will be achieved. The costs of the savings will be the disfranchisement of young adults, our future ratepayers; the onset of significant future expenditure for the development of an employable workforce; and a profound reduction in the quality of education.

The government's reduction in funding for adult education contradicts its own position stated in the Common Sense Revolution that it's providing people on social assistance with a hand up and not a handout.

Recommendation: That the amendment to the adult education sections of the Education Act be withdrawn and that funding be maintained at existing levels.

Page 16 on sick leave: The amendments contained in subsection 5(2) and section 10 will delete the statutory entitlement of teachers to any sick leave with pay. The amendments contained in this section will further affect sick leave accumulation, the portability of sick leave between boards and dramatically affect the retirement gratuity provisions contained in collective agreements. There are no appreciable savings for the province to be found in this amendment.

The chart on the next page compares the length of sick leave and maximum accumulations of unused sick leave across occupations. It is clear that other groups have sick leave plans comparable to those of teachers. I'm sure you've seen these lists before.

Unpublished data from Statistics Canada reveal that in 1994 absenteeism among teachers was lower than the labour force as a whole. Teachers' absenteeism was also below that of several other groups, including nurses and broader categories of medicine and health, public administration and manufacturing. In Renfrew county the average is less than five days per year.

Recommendation: That the proposed amendments on sick leave provisions be withdrawn.

I'd like to hand over the next part to Roger Perry, of the English Catholic association.

**Mr Roger Perry:** I will start on page 19.

The government should carefully consider the issue of adequate funding which provides equity and fairness for all boards. Therefore, all students would have an equal opportunity within the province.

Recommendation: The affiliates believe there is a need for educational finance reform.

The Education Act will be amended to permit school boards to enter into agreements with other school boards for certain educational purposes. In order to encourage cooperation among school boards and other public institutions with respect to efficiencies, the amendments will permit a wider range of agreements to be made by boards. The intention is to encourage the sharing of facilities, equipment, transportation and various other support services. Should downsizing be a factor, the affiliates demand that all employee rights be protected and, furthermore, that the contractual status of each employee be honoured.

The Ontario Secondary School Teachers' Federation, the Ontario Public School Teachers' Federation, the Ontario English Catholic Teachers' Association, the Association des enseignants et des enseignantes francophones and the Federation of Women Teachers' Associations of Ontario support such cooperative ventures and point out that extensive cooperation presently does exist.

Continued cooperation in all areas cited is desirable. Please note that under the current funding, and transportation funding in particular, we in Renfrew county, the largest geographic county in Ontario, have been adversely affected because of earlier cost-saving measures. Recognition of our previous voluntary reductions and cooperative ventures should be reflected in the grant structure proposed by this government.

I thank you. We are open to answering any questions.

**Mr Preston:** Under junior kindergarten, 2.03, you've stated that the school boards have knocked out junior kindergarten because "it is the easiest way to find the savings," which would indicate that there are other ways; they're just not as easy. We didn't ask them to do the easiest thing; we asked them to do the proper thing. Obviously, there are proper things; they're not as easy as this.

The easiest way is to provide a window to allow teachers who are highest on the grid to leave, providing an opportunity for younger teachers to come back in. How do you feel about that, number one? And are you in favour of alternative sites and alternative educators if the criteria for early childhood education can be met? Two questions.

1320

**Ms Sheryl Hoshizaki:** I'm not sure the first question was about junior kindergarten. I think it was about an alternative to save money. However, this brief referred to the fact that it appears the boards of education feel junior kindergarten is one of the easier programs to eliminate because it was fully funded and it was at one end of the programming. That inevitably has turned out to be true, because 30 of the school boards have in fact cancelled junior kindergarten. To relate it to other ways to find money I don't think is specific to what we see as the credibility of the program itself.



Second, in response to your early childhood education question, as I have stated earlier and we as an organization have stated on several occasions, for many communities across Ontario there are no alternatives, there isn't a choice between junior kindergarten and an early childhood education program, so the comparison sometimes is somewhat redundant.

However, the suggestion that providing an early childhood education program because it is cheaper has been investigated by some school boards, recognizing that early childhood educators are more focused on what we refer to as child development in the area of large and small motor development for children, and junior kindergarten is an actual readiness school program. There is a significant difference. There are also different laws that insist on the number of students you can have or the number of children in your care. As you know, ECE workers, under the Day Nurseries Act, have a ratio of one to eight, which then increases the number of people who have to be employed, therefore may not be the cost saving that some school board had thought might occur.

We believe a combination of early childhood educators as well as a junior kindergarten teacher would provide the best program for children who are four years of age in Ontario.

**Mr Preston:** I didn't get an answer to my first question. Are they in favour of a window for the teachers on the highest part of the grid to move out so younger teachers can move in?

**Mr Hooper:** The older teachers, if they wish to do it, the answer would be yes, if they were given the opportunity. But they have to be given the opportunity.

**Mr Preston:** Very good. That's what we want to know.

**Mr Pettit:** You're with the Renfrew County Board of Education?

**Mr Hooper:** Yes.

**Mr Pettit:** I've got to ask you this also, and any or all of you feel free to answer. Do you feel that the Renfrew board has done everything possible to find savings without affecting the classroom, ie, perhaps pink slips for teachers? If the answer to that is no, would you please enlighten us on areas where you feel they perhaps should have done things where they haven't.

**Mr Hooper:** I'll speak for the Ontario Secondary School Teachers' Federation and the high school teachers. We're in rather a unique situation. We have lots to boast about in Renfrew county. We're the lowest-paid teachers in the province. We have the highest PTR, which tells you that our board is as extremely efficient as it can be. We simply have nowhere to cut now and that's one of our major problems. Our board, in the last four years of negotiations that I've been on, has always stated the fact that they can't go back to the taxpayer. Even prior to the social contract, our board had cut back dramatically, and when the social contract came up, we couldn't even cut back at that stage.

**Mr Pettit:** So as far as you're concerned, there is absolutely no room in administration?

**Mr Hooper:** No. We have one director and two superintendents.

**Mr Skarica:** Thank you very much for your presentation. I understand you're one of the assessment-poor

boards, so I find it interesting that you agree with the equalization payments amendment, particularly because there was a comment made about it by another organization, the OSSTF in Windsor yesterday, which indicated, "It is a stark example of the minister exercising dictatorial powers and undermining the statutory autonomy of school boards." Obviously, you don't agree with that comment.

My main point is that it's clear from a number of presenters here that what we need is reform in the whole education finance area, because right now it's creating grave inequities in the system. Do you agree with that comment or no?

**Mr Hooper:** Read 14.01 on equalization payments. I think you get our answer there.

**M. Lalonde :** Ma question serait à M<sup>me</sup> Rhéaume, un point de clarification. Le «junior kindergarten», c'est vraiment la prématernelle.

**M<sup>me</sup> Rhéaume :** C'est la maternelle suivie du jardin.

**M. Lalonde :** Alors, c'est de même qu'on le considère.

Je vais aller plus loin avec une question. Est-ce que vous croyez que le fait qu'on va couper la maternelle ou donner l'option aux conseils scolaires d'aller de l'avant ou non avec les maternelles — est-ce que vous croyez que le secteur rural va être le plus affecté par ces coupures ?

**M<sup>me</sup> Rhéaume :** Je crois que non seulement le secteur rural va être affecté ; c'est certain que les secteurs ruraux vont être affectés. La disponibilité d'autres programmes dans le secteur rural est peut-être moindre que dans les milieux cosmopolitains.

**Mr Lalonde:** I really feel that the rural sector will be the most affected in terms of the option of junior kindergarten. The rural sector doesn't have public transportation, and very often we see that both parents have to go to work; in this case one of the parents will have to stay home an extra year to look after their children. Referring to Prescott and Russell, for example, the French Catholic school board has decided to go ahead with the junior kindergarten to make sure the parents have a chance to go to the labour market, to go to work, so it has to come up with a cut in another sector within the school board to be able to manage that extra \$400,000 it is going to cost the school board. I believe the Renfrew County Board of Education or the Renfrew separate school board will be hit the same way as Prescott and Russell.

**Mr Patten:** Thank you for your presentation. We don't have much time so I'll speak quickly.

I'd like to address your comment, "The affiliates urge the social development committee to slow down and give serious consideration to all the issues," given the impact of the cuts.

By the way, I agree with how you characterize the bill and its purpose; however, I would like to remind you that the committee is a reflection of the House and there are eight members from the government on this committee. If the government side chooses to hear your suggested changes, they can do so. Whether they will actually do that is another story, but they will have to report back.

You must also know that this committee cannot just meet as long as it would like. It is directed by the government as to how many days it can meet and on

what issue. We have three days this week, and as soon as we've finished that, we've got two days for the committee — two days means only a matter of hours each day, by the way.

**Mr Newman:** It's the House leaders.

**Mr Patten:** It's the House leaders. Yeah, sure. Listen, if the government House leader says, "You've got so many days," that's the way it is.

*Interjections.*

**Mr Patten:** It's my time.

We have two days next week. Follow it up and see who votes for what at the amendments. Watch it on TV or have some of your people at the committee and see what is recommended in terms of who has listened to you and who has proposed it and what the response has been.

**Mr Martin:** I was pleased with the context within which you've placed this legislation, your opening remarks about the junior kindergarten education amendment as an attack on those in our society who are most vulnerable and then further along saying we need to put this in context.

The context I see, both in my own community as I talk with people and as I listen at Queen's Park, is an agenda that started almost from day one that was an attack directly on those who are the poorest among us and those who are most vulnerable and that this legislation is a continuation of that. I think we'll see that thread continue through the whole time of this government's tenure in office.

Given the massive reduction in the amount of money now in the pockets of the poorest families in the communities you represent in terms of education and the fact that those kids show up at school every day now and present themselves to you, as teachers and professionals in the business of education, what challenges are you beginning to see more dramatically because of that, if any, and what challenges do you anticipate with the diminishing of the resources people have in their own family to take care of themselves and the diminishing of resources by way of services to support families who are struggling, challenges that usually fall at the front door of schools?

**Mr Hooper:** Renfrew county is a very rural area, with approximately 86,000 people for the whole county. We have four major towns; the rest are spread out. One of the problems we have with adult education is that we have it within the cities or the towns only. We have other schools throughout the area and we have pilot projects within libraries or elementary schools where we conduct adult education. Many of these adults have no means of transportation because they're on welfare and their financial circumstances are such that they can't afford to go.

That's going to have a major impact on our future taxpayers — at least that's what we hope they will be, because the statistics show that people who become educated get jobs, and that's not going to happen in Renfrew county. It's going to have a major impact on adults who leave and don't have their OACs and that type of thing.

1330

**Mr Martin:** It was suggested this morning that in the budget there was actually money put into the system that

would help and support families in need and in difficulty of various sorts. Of course, when you put that in the context of the cuts that already happened, certainly this government is trying to separate what was just a litany of cuts since July of last year, and then all of a sudden we have the good news budget that puts a bit back in, which is a bit like telling you they're going cut off both your arms and then saying, "We're going to, for this year, save one."

In terms of some of what is suggested is put back, is that going to have any impact re the difficult situation that we're facing and the ability of families to participate more constructively in the preparation of their kids before they are sent off to school, in your understanding?

**Mr Hooper:** Is that at the secondary level or junior kindergarten too?

**Mr Martin:** I would think probably across the board. For example, you take 22% out of the pockets of families to feed their kids, and then in the budget you put back a little bit to say, "We're going to have a nutrition program so you can feed them in the schools." Does that make any sense to you?

**Mr Perry:** The problem of underfunding education, which really is at the essence of it, is that any cutbacks to the education system after a system has already taken a fairly large number of cutbacks is going to hurt.

For example, in Renfrew county, the separate board began its cutbacks back in 1991 when teachers agreed to no increases in salary at that time. Then came in the social contract. We've had no coordinators or diagnostics etc since then. Our board runs very, very frugally. As a result, the problems that children bring into the school with them are downloaded onto the classroom teacher, and what's exacerbating that is a reduction in the moneys coming in, the number of bodies going out, and class sizes going up.

I'm a classroom teacher, and the more children I have in the classroom, the less time I am going to have to deal with each child. That's bound to happen. We do have lots of problems in the classrooms today and most of them are coming from outside the school. The school tries to handle a lot of those problems, but the job is becoming enormous, and I think we're going in the wrong direction in this province if we hope to improve the lifestyles of our children for the future.

**The Vice-Chair:** Thank you very much, Mrs Paddock and all members of the delegation. Unfortunately, your time is up. We enjoyed your presentation.

PHIL SWEETNAM

BOB STRUTHERS

DENNIS DATE

**The Vice-Chair:** Next we have the Health Network: Phil Sweetnam, Dennis Date and Bob Struthers. You have half an hour for your presentation, which will include any questions and answers. If you could identify yourselves as you're speaking, then Hansard can identify you as well.

**Mr Phil Sweetnam:** Good afternoon, ladies and gentlemen. We appreciate the opportunity to speak to you about the very important topic of education. I note that



we are listed as the Health Network, which is an organization that my wife chairs. We, however, have nothing to do with that organization. My two colleagues and I are concerned citizens who for some time have taken an active interest in the funding of education in this province.

My name is Phil Sweetnam. I'm a businessman. I live in West Carleton and I have a business in Goulbourn. On my left is Dennis Date —

**The Vice-Chair:** Just so that I'm clear, there's no one here, I take it, from the Health Network? You're not usurping somebody else's time; it was just that it was set up this way.

**Mr Sweetnam:** It was set up this way. The original contact was with my wife, Beth. In the old style, busy husbands sent their wives. In our household, the busy wife sends her husband.

**Mrs Ecker:** Hear, hear.

**Mr Sweetnam:** Dennis Date is a resident of Kanata and is the former treasurer in that city. On my right is Bob Struthers, a former General Motors executive and past chair of our transportation committee in the township of Goulbourn. We decided to share this time to tell you about how we feel about the issues which are crucial to achieving a balanced budget in Ontario.

I applaud the government's effort to control spending and the measures that have been introduced in Bill 34 as good steps in the right direction. However, I would like to suggest that more steps are needed if we are going to put our fiscal house in order.

Firstly, Ontario can no longer afford to pay sick leave gratuities to its public sector employees. We businessmen have had to ask our employees to take reduced hours and even a reduction in my own salary in order to have our business survive. Certainly, when employees leave private sector employment, they don't get any sick leave benefit. As a public representative at the Mississippi Valley Conservation Authority, I can tell you that sick leave benefits were terminated over 10 years ago. For the sake of our future economic stability in this province, we all have to be realistic in our salary and benefit expectations.

My second point is that allowing the boards to negotiate separately with their unions with fewer rules in place than before is a recipe for disaster. I agree with the bill concerning the removal of the provision of sick leave gratuities. However, if we are going to replace it with no new rules, it would be wise to make the control of the funding of education a provincial responsibility. A partnership with the province which would allow local involvement could be preferable, but I feel it is only feasible if strict guidelines are in place controlling the amount of money trustees can commit to future earnings.

At the moment, my understanding is that local school boards together are committed to at least \$150 million of unfunded liabilities for sick leave gratuity. That is money that all of us who work in Ottawa-Carleton are on the hook to pay for, for the rest of our lives. To say to trustees, "You can negotiate collective agreements that include whatever future sick leave payouts you want to provide" is unacceptable. A local board, the Carleton Roman Catholic board, does not have accumulated sick leave and their teachers take no more sick days than the teachers for other boards.

Finally, in order to bring teachers' salaries more in line with the private sector, I feel it is time to declare teaching an essential service. Salaries of teachers will continue to escalate as long as teachers have the right to strike. No trustee wants to be in a position of causing children to lose their opportunity to learn, so the right to strike is an especially powerful tool for the teachers to keep pushing up salaries. The funding of charter schools or private schools would be another way of controlling spiralling teachers' salaries. Competition would force teachers to be more prudent in their salary demands.

In other words, I am recommending some additions to your toolkit if you really want boards to cut back in their spending. I do not want to leave the impression that I feel in any way we are badly served by the teachers of Ottawa-Carleton. I am suggesting ways of paying them less because we are all having to work for less. My impression is that we have excellent working teachers in our region but we can't continue to pay them at the level we have in the past. If we continue to commit large payouts that run up huge unfunded liabilities, we are never going to be able to have a stable provincial economy with a balanced budget. We all have to tighten our belts.

1340

**Mr Bob Struthers:** Good afternoon and thank you for the opportunity to comment on the proposed changes to the Education Act. I support this government's effort to address some of the fundamental problems that have developed over time within our educational system. In comparison to many other countries, it appears that we have allotted undue resources to educate our youth, and these amendments should prove valuable in curtailing serious cost implications that have hobbled our economy.

While admiring your effort, I feel that additional revisions are necessary to provide further restraint, particularly in the areas of sick leave and general funding for education.

As to the first, I recommend that the concept of sick leave be abolished. Undoubtedly employees should be provided with the certainty of an income stream in the event of sickness or accident, but perhaps we should examine alternatives to provide this worthwhile goal. For instance, why could we not ensure that the taxpayer-employer supports their teacher-employee's short-term absence — say, one to five days — without salary interruption as a necessary cost of providing a fundamental service? In the event of illness or accident requiring extended leave, a week or more, would it not be reasonable to provide disability insurance, the premium to be fully or partially funded as an employee benefit? This revision to the traditional sick leave concept should ensure employee protection against income reduction due to involuntary illness, reduce current costs and eliminate future liabilities for accumulated sick leave.

Beyond this specific cost factor, there is the broader issue of funding for education and offsetting taxation as it has developed within our province. Our present system has not worked well, since splintered administrative control has led to salary levels exceeding many other jurisdictions, particularly those in the United States. This is not surprising as long as individual school boards are

allowed to establish salaries, benefits and working conditions, while offsetting teachers' federations play off one group of trustees against another in a leapfrog scenario. This factor appears to be the major cause of our swollen education costs. No trustee could reasonably be expected to face down requests for matching salaries or benefits negotiated by a nearby school board if the consequence meant a withdrawal of services by their teachers, nor would anxious parents permit their trustees to risk a cessation of education for their children.

I am suggesting, then, that our present system tends to lead to excessive costs to provide education. As well, it often creates inequities in the quality of education provided.

Given the assumptions that I have outlined, I feel that many groups would be better served if Ontario assumed all funding of and taxation for education throughout the province. Costs should be better controlled, to the benefit of the taxpayers. Local confrontation and conflict between trustees and teachers' representatives should be minimized. Services should be delivered to end users in an equitable manner.

Your government has provided significant change of value in many areas in past months. I hope you will consider further improvement to our educational system. If not, this major expense program will continue to cause undue stress on our tax burden and economic wellbeing.

Thank you for your attention.

**Mr Dennis Date:** Good afternoon, ladies and gentlemen. I propose to follow on on the comments of my colleagues and address more specifically, in a little more detail, sick leave entitlements.

While also welcoming the proposal to eliminate the number of sick leave days as a statutory entitlement, the proposed change does not seem to address the most objectionable feature from the public perspective, namely, sick leave gratuities. Furthermore, allowing the school boards to agree to the sick leave credit terms in negotiated contracts is likely to take down the barn door which has already been opened and which I will refer to later with respect to how those credits can be abused.

I believe the government's amendments should be comprehensive and not be limited to the education sector. In support of this view, I'd refer you to the sections of the Municipal Act and the Education Act which specifically authorize sick leave credits for municipalities, school boards, other boards and commissions, and allow sick leave credits to be banked and paid out upon termination.

These specific sections place limits on the amounts that may be paid out. The acts both provide only one half of the credits saved may be paid out, provided that in no case shall the amount paid exceed one half of the employee's salary at the time of disbursement.

My concern over the negotiated settlement approach can be captured in this clause, not from a school board, but it is reflective of my concern: "On the date of retirement, the number of days unused sick leave standing to the employee's credit shall be doubled. The terminal allowance shall be 50% of this number of days, multiplied by the employee's daily rate of pay at the date of the employee's retirement."

I don't believe the Legislature intended any powers to be placed in contracts which are not to be found in the legislation.

With respect to this issue of negotiated contracts, there are several court cases in the United Kingdom, from which much of our provincial law stems, where municipally negotiated contracts have been overturned because they contained powers that were not specifically available to the municipality. In point of fact, only last week, two of these decisions were upheld at the appeal court level.

Without getting bogged down on this point, it is known as the doctrine of ultra vires. In layman's terms, it refers to the fundamental situation whereby municipalities can only do what they are specifically allowed to do. A negotiated contract is not enforceable usually if it contains conditions which are ultra vires the powers of the municipality. Yet the proposed change seems to open up a new way of setting terms and conditions.

Let me now put this background into context. Taxpayers in this region were astonished and upset by a sick leave gratuity in excess of \$300,000 paid to a former police chief who was promoted to a similar position with a new force. More recently, the unfunded sick leave credits of the remainder of that force were calculated at \$23 million. This liability was transferred to the whole region. Fortunately, the new police services board negotiated the discontinuance of this benefit for the new members of the regional police force. It might seem to suggest that only new brooms sweep clean.

In the education field, it was incorrectly reported, but it was reported, that the accumulated sick leave credit entitlement for an official who left to take another position was roughly \$125,000, or the equivalent of one year's salary. For undisclosed reasons, a request was refused, a move described by the official as "unusual."

The unfunded liability for future payouts has been referred to and with respect to one of the major boards, it's \$58 million and with respect to the other board, it's \$50 million. I would hazard a guess that across the region, we'd be talking in the low billions. It's almost like, "Read my lips."

This unfunded liability is a real problem. In both of the individual cases I referred to, they were presumably arrived at through negotiated contracts, despite the legislation referred to earlier that sets a limit not exceeding one half of the employee's salary. When introducing that legislation, which does cover municipalities, school boards, other boards and commissions, and police commissions, I might say, by definition, it might be reasonable to suggest that the intent was clear by the Legislature.

#### 1350

While it's commendable that the province wants to enhance the local autonomy of the school boards through its amendment, past performance in that sector suggests that unless the province intends to become the future employer, there's likely to be little change.

Since the mid-1970s, the majority of municipal councils have withdrawn the rights for new employees to accumulate sick leave credits. At about the same time, the provincial government withdrew this savings plan benefit for its new employees. Existing employees had their



benefits frozen and no further credits were allowed to accumulate.

On the other hand, I was told by a school board chairman that only about six school boards had discontinued this practice for their employees. It appears that the major groups that generally continue to enjoy the benefit are police officers, firefighters and school board employees. One can only speculate why these groups have been able to retain the benefit. There is no comparable benefit in the private sector, and with short-term and long-term disability plans, there seems little justification for their continuance in the public sector.

Before concluding, a further point with respect to the unused credits might be noted. Reference was recently made to a possible understaffing situation in a fire department due to staff being on sick leave. It might seem that once the maximum number of days has been accumulated, there might be a temptation to use the further days available on a use-as-you-earn approach. In the education sector, of course, this presumably means or might mean the hiring of more supply teachers.

In summary, I repeat, it seems that more comprehensive amendments are required to both the Municipal Act and the Education Act. Perhaps the accumulation of sick leave days should not be allowed for new employees; perhaps the casual number of sick days during the calendar year might be restricted to a figure more in keeping with common sense; perhaps existing credits should be frozen, and perhaps the taxpayer should have a charter of rights.

Provincial leadership is needed when the role has not been exercised, for whatever reasons, by those charged with the stewardship of public funds. Being from an older school of thought, I still prefer the term "partnership" to "disentanglement" for describing the preferred kind of provincial-municipal relationships.

A municipal politician was recently quoted as saying, "If you don't pay, you don't play." That was in answer to a provincial. Despite the desire for clearer lines of responsibility, a partnership approach appears to offer a better prospect for taxpayers than unbridled disentanglement.

**The Vice-Chair:** Thank you very much for your very interesting presentation. We have two minutes left per caucus, and we'll start with the opposition caucus.

**Mr Patten:** Thank you, gentlemen, for your presentation. Actually, I found it to be quite interesting in terms of some of the options you suggest to what is probably a looming financial problem. I can see by your orientation that you're all NDPers.

**Mr Sweetnam:** We are of a diverse political background here, Mr Patten.

**Mr Patten:** You began by saying you wanted to address the deficit. I would certainly agree that we want to address the deficit, but I would suggest that the implication of the other side, which you didn't address in this legislation, was really to tackle the tax cut, pay off some of the tax cut, because that's part of the equation and the borrowing that will be required in order to give a tax cut. So I wondered if you would agree with Ralph Klein when he said that it's crazy to give a tax break at the same time as you're trying to address the deficit.

**Mr Sweetnam:** I've been asked that in some other roles I play when I've been lobbying municipal councils for funding for conservation authorities. I think the way that governments pick up their funding really is a matter for them to decide. I think what we need to focus on here is what's appropriate or inappropriate in this legislation. Given that there are 30 minutes, and I was hoping to get some good questions from the floor, we didn't want to go into the whole aspect of how governments should fund themselves; we wanted to focus on just this Bill 34.

I hear by the radio today people are all saying: "It's going too far. You're cutting too much." We're saying, "Maybe you could go a couple of steps further." That was our approach, I think, in our discussions.

**Mr Patten:** The assumption is that — a couple of phrases like "it's swollen" etc. You said in the paper that in comparison to many other countries it appears that we've allocated undue resources. What we found when we looked at comparisons, even within Canada, is that often it's apples and oranges that are being compared and that they are not truly direct apple and apple comparisons.

I would suggest to you, because I haven't got the time to get into it but perhaps you can respond, that when we look at the international comparisons, there are few other nations that have the kind of support we have for people with learning disabilities, kids with special needs, and the universality of our system is decidedly different than what you might find in Japan or what you might find in Germany. So I would caution you, when you look at those comparisons, to ask for the next level of detail in terms of who are we really comparing. Are we comparing the same kind of accessibility to systems for all kids, and are they serving children with disabilities or learning difficulties, that kind of thing? I don't know if you have a response to that.

**Mr Sweetnam:** I simply know, from an excellent CBC documentary, they suggested that we pay in the top four in the world and our product that comes out would be defined as in the top 10 in the world, so an excellent education system. But I would subscribe to the doctrine that would suggest that more money isn't going to fix it. In other words, I think reallocation of the resources that presently go to the system is probably going to do you more good than trying to fix up the system. I really believe — my colleague Dennis Date has said it so well in saying this system of paying people because they're healthy is really so inappropriate and an example of how education resources might be better directed. My philosophy has always been, as Bob Struthers has said, if people are sick, you pay them, that's our responsibility, but if they're well, you don't reward them.

**The Vice-Chair:** Mr Struthers, did you want to speak?

**Mr Struthers:** Just two things quickly; one is that I don't think it's correct that someone like Commissioner or Police Chief Ford, who earned \$10,000 a year as a first-class constable, should have banked his pro rata sick days, whatever that comes out to, and take them out at a rate of \$200,000. I don't think that improved the policing and safety of the citizenry.

Number two, in response to Mr Patten's suggestion that we provide more complete education in our jurisdiction

tion, there was a major article in the *Citizen* about two months ago. The writer had been to Tennessee and was very impressed with the education there and how the children were better served there. I think they had a ratio of 1 to 10, and she was very critical of Ontario for its very high ratio. At that time I just happened to have picked up a *US News and World Report* of December 4, 1995 — I think it's in your material — that indicated that the average salary in Tennessee was \$31,000. So I would suggest that at a salary rate of \$31,000 you could certainly pump a lot more teachers into the system. I'm not anti-teacher, but salaries are salaries.

**The Vice-Chair:** That's US\$31,000, is it?

**Mr Struthers:** Yes, and they pay in US dollars too.

**The Vice-Chair:** I know. Mr Martin or Mr Silipo.

**Mr Martin:** It's interesting to note, in follow-up to the question you were just asked, that this isn't about reallocation, this is about taking money out. It's also interesting to note that you're the first group, since I've been here today, to come in support of this legislation. I don't know what happened yesterday in Windsor.

**Mr Patten:** We had one.

**Mr Martin:** You had one?

**Mr Sweetnam:** We heard the report on the radio and we rushed right down.

**Mr Struthers:** We wanted to create a balance.

**Mr Guzzo:** You're the first independent group.

**Mr Martin:** Oh, nobody's independent. Everybody has an axe to grind and a group that they belong to. And we're all taxpayers, you know that, you and I included.  
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*Interjections.*

**The Vice-Chair:** Just a minute now. Mr Martin has the floor.

**Mr Martin:** Yes, be respectful.

**Mr Sweetnam:** I'd like to hear his question and I'll give a best, compassionate right-wing argument to you.

**Mr Martin:** Okay, that should fit right in because the question I want to ask you is this: This government in nine months has just rolled out massive reductions in public spending. You probably think that's a good idea. The only problem I have, and I'm asking you as business people how you feel, is that there's no business plan, there's no detailed analysis of the short-term or the long-term impact of this on society as a whole and on the economic environment as a whole that we need to have in this province if we're going to continue to do business and attract investment.

This piece of legislation today does not fit into, that we can ascertain, because it hasn't been delivered to us yet as a Parliament, any well-thought-out, detailed business plan. There's no plan here. It's just "Fly by the seat of your pants."

**Mr Sweetnam:** Can I answer your question? It's a pretty comprehensive one. Certainly I think in the long term there should be a business plan, but when you get turnaround experts into a private company and they start — I understand the province spends \$10 billion more than it takes in — maybe the turnaround experts don't do everything you want or do things in the traditional manner, and it's really tough when you're in a company. I know some people who have been there when

the turnaround expert said, "We're going to make this company profitable," and it has really been tough on the employees. They've had to work harder and give up some of the company cars and benefits they've had.

**Mr Smith:** Thank you for your presentation. We've heard a wide range of views extending from positions that there's too much money directed into the education system and that's problematic, we heard this morning that it's underfunded, that the government is mean-spirited in its cutbacks, but one of the consistent messages we have heard, irrespective of backgrounds, is the need for a fundamental review of the education system. I realize you've looked at one element of this bill. Have you given any consideration to the appropriate time frames and the types of issues that the government should be looking at? Should it pursue a fundamental review of the education system and how it's financed?

**Mr Date:** Yes, but you'd have to read my book. The restructuring and financing should go hand in hand. You cannot address one without the other. On that point, although it's off this agenda, I have reservations about the province taking over education, so it shows that we do have different points of view.

I think it was Mr Davis who said, "If you ever want to see escalation of education costs, give it to my provincial civil servants." On a more informed note, I would recommend that your officials provide you with a copy of the Layfield committee report of 1975, which gave a very good treatise on suggesting why education should remain at the local level, and in that sense I'd recommend that school boards be dissolved and their functions transferred to municipalities to the extent that any local decision-making is still worthy of pursuit.

**Mr Smith:** Just one last comment. From my personal perspective — perhaps in a previous life I would be classified as a public administrator in the municipal sector — I think the issue you raise today is important from the sick leave benefit perspective. As someone who's been inside a collective bargaining unit and outside I have never had, in my professional experience, the luxury of a retirement gratuity, albeit there were accumulated sick days which eventually would have been lost, so I certainly appreciate the perspective and some of the history you've brought with respect to sick leave accumulation.

**The Vice-Chair:** Thank you very much, gentlemen, for your presentation. I guess you can also thank the Health Network for being on the agenda.

**Mr Sweetnam:** Thank you, Mr Chairman.

**The Vice-Chair:** Next we have the Fédération des associations de parents francophones de l'Ontario, with the president, Diane Ellis. Bonjour.

**Mr Skarica:** While they're approaching the table, Mr Chairman, I filed an answer to Mr Wildman's motion yesterday, the answer to the potential negative grant school boards and the long-term disability plans. Again, the two NDP members weren't here yesterday. If Mr Wildman feels that doesn't satisfy his motion, we're prepared to hear further submissions.

**The Vice-Chair:** We have that, and it's my understanding that there's an agreement that the final package of amendments will be in the clerk's office by Monday



at noon. I believe there's an agreement on that between all the parties.

**Mr Silipo:** We'll take your word for it, Mr Chair.

**The Vice-Chair:** No, no. You're on your own, Mr Silipo.

**Mr Silipo:** If Mr Wildman has indicated that, that will be fine.

**The Vice-Chair:** Okay, thank you very much.

#### FÉDÉRATION DES ASSOCIATIONS DE PARENTS FRANCOPHONES DE L'ONTARIO

**The Vice-Chair:** Good afternoon. You have a half-hour for your presentation, and that will include any time for questions and answers.

**Ms Diane Ellis:** My name is Diane Ellis. I'm with the Fédération des associations de parents francophones de l'Ontario. I am the vice-president. I thank you for the promotion that you gave me to president. Our presentation today will be focusing on junior kindergarten, and though the presentation is made in French, all questions can be answered in English afterwards. This is Gabrielle Blais, representing the eastern Ontario sector.

**M<sup>me</sup> Gabrielle Blais :** La Fédération des associations de parents francophones de l'Ontario est le seul organisme provincial représentant les parents des écoles de langue française catholiques et publiques en Ontario. Aujourd'hui, on vient ici pour vous dire que l'on n'appuie pas l'abolition de l'obligation, pour les conseils scolaires, d'offrir la maternelle tel qu'il est proposé dans le projet de loi 34.

Lors de sa 43<sup>e</sup> assemblée annuelle tenue du 27 au 29 octobre 1995, les associations des parents membres de la FAPFO s'inquiétaient déjà du maintien de la maternelle au sein du système scolaire, et une résolution mandate la FAPFO de «s'assurer du maintien des maternelles de langue française au sein du système scolaire».

La Fédération des associations de parents francophones de l'Ontario vous demande de tenir compte de l'importance fondamentale de la maternelle pour les jeunes francophones de cette province. La décision de retirer l'obligation, pour les conseils scolaires, d'offrir la maternelle aura un effet démesuré sur la population de langue française, qui accuse un retard éducatif par rapport au groupe majoritaire. Il est évident que l'impact de la maternelle a des conséquences tout au long de la vie éducative. Les résultats des épreuves scolaires en font continuellement la preuve. Toutes les évaluations des élèves de l'Ontario montrent que les élèves francophones obtiennent des résultats inférieurs à ceux des élèves anglophones en lecture et en écriture, en mathématiques et en sciences.

En 1993-1994, l'évaluation provinciale de l'écriture et de la lecture des élèves de 9<sup>e</sup> année indiquait que 33 % des élèves francophones se trouvaient au niveau d'une performance rudimentaire ou limitée, en comparaison à 9 % pour les élèves de langue anglaise. Dans les évaluations nationales faites par le Conseil des ministres de l'Éducation, Canada, en 1994, pour les élèves francophones de 13 à 16 ans, 71,6 % et 50,7 % respectivement des élèves francophones de l'Ontario avaient une performance rudimentaire ou limitée.

La perte de ce service de base qu'est la maternelle se traduira certainement par une diminution de la performance scolaire. Le gouvernement de l'Ontario a la responsabilité d'adopter des politiques qui améliorent la performance scolaire, pas le contraire.

Pour offrir aux élèves francophones des possibilités d'avenir équivalentes à celles de l'ensemble des élèves de la province, il faut assurer un bon départ éducatif. La maternelle permet d'amorcer le processus éducatif dans un milieu professionnel de qualité.

La Commission royale sur l'éducation recommandait non seulement le maintien de la maternelle, mais l'ajout d'un service pour les jeunes âgés de trois ans, et le tout à l'intérieur du système d'éducation publique.

La valeur pédagogique de la maternelle est reconnue de par le monde, et le gouvernement de l'Ontario fait fi de l'expérience mondiale. La maternelle est d'autant plus valable pour les jeunes Franco-Ontariens qu'elle permet de démarrer d'un bon pied l'éducation formelle des jeunes qui se trouvent en situation de minorité linguistique.

Les parents de notre Fédération, déjà aux prises avec des inégalités fiscales et un manque d'accès à la gestion de leurs écoles, s'inquiètent de l'avenir de leurs enfants dans un Ontario qui ne leur assure plus un départ éducatif dans leur langue première. Le gouvernement de l'Ontario a l'obligation et la responsabilité d'offrir des services et des programmes d'excellente qualité tout au long de la vie éducative de nos enfants.

Il est prouvé que plus l'éducation commence en bas âge, plus le taux de rétention est élevé. L'étude longitudinale américaine, the Perry preschool study, démontre que les élèves qui ont eu l'occasion de se prévaloir d'un programme préscolaire ont terminé leurs études secondaires à raison de 71 %, comparativement à 54 % pour les autres élèves.

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Il est difficile de trouver les chiffres récents sur l'abandon scolaire. Cependant, en général on estime à 40 % le taux de décrochage des francophones en Ontario, un taux supérieur de 15 % à 20 % par rapport aux anglophones.

Il nous semble que le bon sens nous dicte qu'il est préférable d'investir dans une politique de prévention du décrochage et de prévoir les répercussions à long terme de l'abolition de la maternelle. L'abolition de la maternelle de langue française augmentera certainement le fardeau social et économique, et diminuera la qualité de la main d'oeuvre de cette province.

Les politiques proposées par le gouvernement de l'Ontario n'auront pas le même impact pour les jeunes d'expression anglaise, qui ont des possibilités d'obtenir des services dans leur langue partout en Ontario que pour les jeunes d'expression française. Ce sont les jeunes de langue française qui feront les frais de cette décision. La faible densité et l'éparpillement des francophones sur un vaste territoire ne permettent pas à la communauté francophone de mettre en place les services de base essentiels à la survie.

En remplacement de la maternelle, la proposition du gouvernement de l'Ontario soulève la possibilité de faire appel aux garderies. Or, dans le rapport annuel 1995 du

Commissaire aux langues officielles, à la page 85 on peut lire : «bon nombre de parents s'inquiètent de la pénurie relative des services de garderie de langue française en Ontario». Ainsi, bon nombre de parents francophones se trouveront dans l'impossibilité de trouver des garderies de langue française et ne pourront inscrire leurs enfants à la maternelle de langue française.

La Fédération des associations de parents francophones de l'Ontario recommande que le gouvernement oblige les conseils scolaires à offrir les services de maternelle aux jeunes francophones. Je vous remercie.

**M. Silipo :** Merci, madame, pour la présentation. Vous savez sans doute que la position du gouvernement est que ce ne sont pas eux qui vont décider si, oui ou non, les conseils scolaires devraient offrir la maternelle mais que c'est une décision locale. J'aimerais bien que vous répondiez à ça, parce que je trouve très intéressant et approprié dans votre mémoire non seulement la justification que vous mettez pour la maternelle au niveau pédagogique, mais en particulier les problèmes que l'abolition de la maternelle va causer pour les étudiants francophones. C'est certain qu'on n'est pas, au niveau provincial, aussi au courant comme on devrait l'être. J'aimerais bien que vous expliquiez de manière plus détaillée, si vous voulez, comment cette mesure aura, selon vous, des impacts encore plus négatifs sur les étudiants francophones.

**M<sup>me</sup> Ellis :** Comme vous le savez, on retire dans ce projet de loi l'obligation des conseils scolaires d'offrir le programme des maternelles. Donc, présentement on facilite le retrait du programme éducatif. Je vais souligner aussi qu'on retire ce service d'une clientèle qui est plus vulnérable parce que souvent c'est une clientèle qui n'est présentement pas dans le système scolaire. Donc, ce sont des gens qui ont très peu d'endroits sur la place publique pour se prononcer parce qu'ils ne sont vraiment pas intégrés présentement au système scolaire.

Nous vivons dans un milieu minoritaire où la maternelle nous donne la chance d'intégrer les enfants dans un système francophone le plus tôt possible. Comme on vous dit dans le mémoire, nous avons déjà des pénuries de garderies, donc les garderies ne peuvent pas venir à notre appui. Donc, on voit que si on retire la maternelle, on se retrouve dans une situation où l'enfant arrive à l'école à cinq ans où une bonne partie de l'apprentissage de l'enfant a déjà été effectuée. Le taux d'assimilation va vraiment augmenter en résultat de ce changement.

**M. Silipo :** Est-ce que vous avez eu des indications parmi les différents conseils scolaires qui ont déjà décidé d'abolir la maternelle, ou est-ce qu'il y a des conseils qui ont pris cette décision qui vont toucher de manière particulière les étudiants francophones ?

**M<sup>me</sup> Ellis :** Les conseils scolaires francophones homogènes en province présentement font leur possible pour maintenir les maternelles, mais je vais souligner que nous n'avons pas, dans la plupart des régions de la province, la gestion scolaire, donc les francophones se retrouvent dans des sections à l'intérieur des conseils scolaires anglophones. Chez les anglophones, comme on le témoigne dans la région d'Ottawa-Carleton, les maternelles semblent être le premier programme touché par les coupures.

**The Vice-Chair:** On the government side, anyone?

**Mrs Ecker:** Excuse me, I have an inability to converse in French. My apologies for that.

What kinds of services or increases would you like to see? You mentioned the child care services for francophone, for French language. I have visited some programs up here in the Ottawa area that were extremely progressive and very good. I was very impressed. You were saying that we needed more. What kinds of services or what kinds of things do you think are needed more for the child care area in the francophone services?

**Ms Blais:** If I can speak from my own personal experience — Diane can after — I'm very fortunate in the fact that my third child is presently in junior kindergarten and in the afternoon is in a day care which is located in the school. In effect, from the point of view of security, education, motivation and happiness and the francophone environment, it has been absolutely perfect for him. I can see the difference between him and my two other children, for whom, because of cost reasons, we could not afford it.

If we're talking about philosophy of education, we have to remember that early childhood is very important. When we are investing in them, we are investing in our own society and in our own pension, in effect.

**Mrs Ecker:** There was some discussion about whether it should be done as integrated or bilingual centres and services. Any comments on that?

**Ms Blais:** Since the 1970s we have moved away from the bilingual system because the bilingual systems result in assimilation. We have to remember that we are in North America, where we are bombarded by English. I think we can both speak for our children, who come from francophone environments, who by the age of four could speak in English without ever having been spoken to.

**Ms Ellis:** Actually, I can answer a little more on that. Coming from a mixed marriage, as we refer to it, my first three children were in French day care before they went to pre-kindergarten. My last child is a year away from junior kindergarten. If the program were to be abolished, he would go into an English school, because my last child does not speak French, although the other three do and do it very well. The rules are that at home we speak English because Dad doesn't speak French. He needs to go into the program to live in a francophone environment the majority of his day. We can't afford the day care services.

**Mr Lalonde:** I would recommend that you use your translation intercom, because I think the point I will bring to your attention is going to be quite important.

Je vous félicite pour la présentation tout d'abord, qui dit que les Canadiens français, ou les francophones de l'Ontario, vivent dans une période de rattrapage dans le moment. Nous connaissons que dans les années 40, l'éducation au niveau secondaire n'était pas subventionnée par le gouvernement, donc les francophones n'ont pu avoir accès à l'école secondaire comme les anglophones de cette province. L'impact que connaîtront les francophones de cette province avec les coupures qu'on entreprend avec la présentation du budget la semaine dernière et les coupures de 400 \$ millions, les francophones vont être les plus frappés dans cette province.



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Nous regardons la maternelle pour un point, et aussi l'éducation chez les adultes. Nous savons que pour les parents qui souvent n'ont pas eu la chance de poursuivre leur éducation, la maternelle est très importante, surtout pour nos familles monoparentales et les familles du secteur rural de l'Ontario. Dans Prescott-Russell, nous avons injecté dans le budget cette année un montant de 400 000 \$ afin de permettre aux familles francophones de pouvoir continuer d'aller sur le marché du travail et pour donner la chance aussi à leurs enfants d'être inscrits à la maternelle. Avec ces coupures, je ne sais pas combien d'autres scolaires auront la chance d'avoir un conseil scolaire, comme celui de Prescott-Russell, pour leur injecter 400 000 \$ afin de leur donner la chance.

Nous reconnaissons aussi au niveau mondial que la langue française est très importante lorsqu'il vient le temps de parler de développement économique avec le marché mondial. Je me rappelle le gouvernement Peterson qui parlait de l'importance de pouvoir négocier en français avec les pays de l'Europe et aussi de l'Afrique.

Maintenant que nous allons retirer la chance aux adultes de poursuivre leur éducation après une certaine période de temps au travail, croyez-vous que les francophones vont pouvoir continuer à progresser dans la province comme nous étions partis depuis les 10 dernières années ?

**M<sup>me</sup> Blais :** Si on regarde les résultats des tests, qui pour nous sont très importants, et nous appuyons et nous avons appuyé la mise en place des tests scolaires, on nous montre déjà que les francophones accusent des retards très importants dans toutes les régions de la province. Jusqu'ici on accepte, on regarde les résultats, mais on n'a rien fait pour corriger la situation. Dans un milieu où on ne peut pas offrir le service de maternelle aux jeunes, tout ce que nous on peut voir c'est encore que la situation va empirer plutôt que s'améliorer.

**M. Lalonde :** En d'autres mots, les coupures vont être plus néfastes sur le côté des francophones que de la langue anglaise. Cela confirme, en bas de la page 2, lorsqu'on voit les chiffres que vous avez indiqués dans votre rapport, vraiment ce qu'on essaie toujours de préserver dans la province. Je crois qu'il est très important pour le gouvernement de reconnaître que dans le secteur rural c'est complètement différent du secteur urbain. Dans le secteur urbain, lorsqu'on coupe un service, une chose qui est importante aussi c'est que lorsqu'on doit appliquer des frais d'utilisateur, comme on l'appelle, c'est que définitivement le nombre d'institutions va être réduit, mais encore là on a la chance de fréquenter une autre institution à l'intérieur du secteur urbain. Dans le secteur rural, lorsqu'on ferme une institution, c'est fini. Le transport en commun n'existe pas.

Un autre point qui est très important : est-ce que vous croyez que le fait qu'on va retirer la maternelle obligatoirement — on l'a retiré obligatoirement, c'est ça. Est-ce que vous croyez que les parents vont être portés à inscrire leurs enfants dans d'autres institutions, telles que les institutions anglophones ?

**M<sup>me</sup> Ellis :** Tant que je viens du conseil de Prescott-Russell —

**M. Lalonde :** Ah, oui ?

**M<sup>me</sup> Ellis :** Je vous reconnaissais, Monsieur Lalonde.

Je crois que si l'école la plus près est en anglais, c'est probable que l'inscription sera faite là, mais ce n'est pas où est-ce qu'ils vont inscrire leurs enfants s'il y a une maternelle ou non. S'il y a une maternelle en français, je crois que les francophones vont inscrire leurs enfants à l'école française parce qu'ils voient le bon départ. S'il faut qu'ils attendent à cinq, six ans même, le français de l'enfant ne sera pas peut-être assez fort pour le rentrer dans le système. Pour faciliter la vie à leur enfant, c'est possible qu'ils l'inscriraient dans une école anglaise, ce qui diminue le nombre d'enfants dans l'école française, ce qui diminue les fonds disponibles, et c'est un cycle vicieux. L'assimilation est continue.

**M. Lalonde :** Et le fait qu'on réduit les subventions des garderies aussi. Encore là, c'est nous qui sommes les plus frappés avec ces coupures. Donc, est-ce que vous aviez une suggestion où le gouvernement aurait dû arriver à des coupures dans le domaine d'éducation sans couper l'éducation dans la maternelle ou dans l'éducation des adultes ?

**M<sup>me</sup> Blais :** Nos membres revendiquent avant tout une éducation de qualité. Quand on parle d'éducation de qualité, on parle de maternelle, on parle de programmes communs, on parle d'accès à l'enfance en difficulté, on parle de ratios élèves-enseignant raisonnables et on parle aussi de toute la structure de testing pour vérifier tout ce qu'on fait. Mais nous croyons que la transformation du système éducatif peut se faire présentement si on cible les programmes «l'enfant», que vraiment on protège tout ce domaine-là à l'intérieur de l'éducation et que c'est possible dans le contexte actuel.

**The Vice-Chair:** Thank you very much, ladies.

#### ONTARIO SEPARATE SCHOOL TRUSTEES' ASSOCIATION

**The Vice-Chair:** The next presentation we have is by the Ontario Separate School Trustees' Association, Patrick Daly, president, and Patrick Slack, executive director. It's always nice to welcome back a former Kingstonian because it allows me to sing the praises of that very historic and touristy part of our province that we want many people to come to. It's on the record now, anyway. The other person who's with you is Arthur Lamarche, who's the regional director.

**Mr Patrick Daly:** Thank you, Mr Chairman. I won't introduce those you already have, but as well with us today, and we're very pleased, is June Flynn-Turner, the chairperson of the Carleton Roman Catholic Separate School Board, and Phil Rocco, the director of the Carleton Roman Catholic Separate School Board.

We are here today representing the Ontario Separate School Trustees' Association, which represents 53 Catholic school boards in Ontario which collectively educate over 600,000 students from junior kindergarten to OAC, and as well represent approximately three million Catholic ratepayers in our province. Separate boards are leaders in many areas, including primary education and the integration of students with special needs.

The mission of Catholic schools, in addition to supporting a complete academic curriculum, is to create a

faith community that integrates religious instruction, value formation and faith development into every area of the curriculum. Graduates of a Catholic school should be able to evaluate society with a critical and even counter-cultural eye. The Catholic community believes that respect for the person, as created in God's image, is essential for school and for our society.

Our schools strive to be communities of staff, students, parents and parish, each with a special role to play, the whole being an integral part of the larger local community.

OSSA is here today representing Catholic school boards. We appreciate the opportunity to appear before the standing committee on social development to discuss the areas raised in Bill 34. These are indeed important issues. Decisions on these issues will have an impact on the quality of educational opportunity available to all elementary and secondary pupils in our province.

Regarding equalization payments to the Minister of Finance, we acknowledge as an association that we are living in difficult economic times and that school boards will have to operate in 1996-97 with fewer resources than in previous years. We outline in our brief the impact over the last three years of the expenditure control plan, the social contract and the recent March 6 announcement by the Minister of Education that the school board grants over that three-year period have been reduced by a total of \$950.3 million.

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Fairness and justice require that these reductions apply to all boards and particularly those that are in rich assessment areas. All boards must accept a fair share of the burden. Unfortunately, recent decisions suggest that reductions apply only to boards dependent on equalization grants and do not apply equally to those boards which have a large assessment base. The effect, once again, is to penalize children in assessment-poor boards by curtailing economic resources for their education.

Province-wide testing and provincial standards are requirements of the Ministry of Education and Training which we support. It is the height of inequity to impose provincial standards without providing adequate funding to allow all school boards equality of educational opportunity for the children in their schools.

It is important to note that grants to education from the consolidated revenue fund are not the same as grants to municipalities or to hospitals; rather they are payments which equalize the provincial and local shares of the cost of education up to the provincially recognized level. They serve to make up the difference between the amount of revenue that can be raised locally through the application of the provincial standard mill rate and the ceilings. Thus, poorer boards receive larger equalization grants while the richer assessment boards receive less.

Inequities arise because the provincially recognized cost of education is too low and does not reflect the real costs of providing education programs and services. Almost all boards are forced to spend above the recognized ceilings. School boards with large non-residential commercial and industrial assessment can generate tax revenues with relatively little pain on their residential taxpayers. On the other hand, boards with small non-

residential assessment bases must place heavier burdens on their residential ratepayers to raise the same revenue, and in our brief we outline a couple of specific examples. First of all, to raise \$100, ratepayers in the East Parry Sound Board of Education must make three times the mill rate effort of those in the Toronto Board of Education. This is because of the differences in their assessment base.

We go on to identify even two boards within the same jurisdiction, the Windsor public and Windsor Roman Catholic board, where the Windsor Roman Catholic board is required to make two times the mill rate requirement of the public board. I know that many of you around the table could cite similar experiences in the jurisdictions that you come from.

Across the province, there are major inequities in resources. These inequities have an impact on both programs and services. Children are deprived or privileged educationally simply due to unequal assessment bases and where they live.

The net effect of reductions of \$400 million in provincial funding to school boards hurts the poorer boards and the children they serve. It has little, if any, impact on the richer boards. Indeed, the reductions have no impact on those few boards in negative grant situations, that is, boards that receive no provincial grants.

Boards that receive no equalization grants can make cuts equal to those made by other boards. Fairness demands that all boards should be required to share equally in funding cuts, including boards which receive no equalization grants. We have calculated that negative grants, including the amount owing due to the social contract, are over \$100 million in 1996. This amount is in addition to the \$250 million already accumulated since 1992.

The proposed legislation allows negative grant school boards to make payments to the province. It does not give the province the authority to collect such payments from these negative grant boards. As a result, this bill does not require all boards to accept their fair share of the expenditure reduction, and in this regard we propose that the bill does not go far enough.

There would be no issue of negative grants if non-residential assessment in Ontario were equitably distributed to all boards across the province. Pooling of non-residential assessment was identified by the Ontario School Board Reduction Task Force as essential in its final report of February 1996. All the major studies on education finance over the past 30 years have come to a similar conclusion on the issue of pooling.

We urge the government to act promptly to implement education finance reform to give all boards a common property tax base, which would be used to pay for locally determined expenditures, and the pooled non-residential assessment to help pay for expenditures recognized by the province.

In that regard, as you can see in our brief, OSSA recommends that Bill 34 be amended to authorize the province to collect negative grants, that is, the expenditure control plan and social contract, and negative grant boards' fair share of the \$400-million savings strategy.

As well, we further recommend that the government proceed without delay with provincial pooling of all non-



residential assessment as a component of education finance reform.

At this time, I'd like to call upon Patrick Slack to comment on other issues identified in the bill.

**Mr Patrick Slack:** On the following pages we cover some of the other issues we wanted to mention in addition to that key issue of equity.

The first one is sick leave and it's our position that we do support the concept of negotiating at the local level the teachers' entitlement to sick leave payment as part of the total compensation package.

Another issue is the one regarding adults in day school programs. OSSTA supports the position that priority must be given to the education of young people working towards a diploma. We are concerned, however, that the legislation and the funding changes already announced support those in our society, such as single mothers, who want and need to complete their secondary school credits to enable them to qualify for employment or post-secondary education.

Mechanisms must be put in place to ensure that the new directions do not stand in the way of those unemployed individuals who need secondary school credits to upgrade their qualifications. We believe there is merit in the Ministry of Education and Training exploring the possibility of joint funding for these programs with the Ministry of Community and Social Services.

We therefore recommend that the Ministry of Education and Training monitor the effects of the implementation of Bill 34 and the funding changes for adults aged 21 and over and make appropriate modifications.

Another area is cooperative agreements. Roman Catholic school boards are proud of their long record of lean administrations. We recognize at the same time that there is support generally for less bureaucracy and less duplication of services. We support therefore the provisions of Bill 34 that enable school boards to enter into cooperative agreements with other school boards, municipalities, hospitals, universities, colleges and other prescribed persons or organizations for the purposes set out in Bill 34.

We are very strong in the position that these cooperative agreements must be based on essential principles, and they are listed there. The preservation of our Catholic school system is the first one; that the results must be beneficial to students in the systems; that local needs and autonomy are identified and respected; that the quality and levels of programs and services are maintained or improved; and that these cooperative efforts are cost-efficient.

We have accepted the challenge to streamline and to restructure our operations. We are working with local agencies, neighbouring separate school boards and our coterminous public school boards to find ways of reducing costs through joint efforts. It must be emphasized, however, that Roman Catholic school boards never had administrative and operating structures to match their public counterparts. It is more difficult therefore for us to find new moneys for the classroom through administrative savings.

Perhaps we should have put the next one first, but it's very important to us: the junior kindergarten question. As

stated here, junior kindergarten is an essential component of our elementary school system. Its value to children is documented in research. While we agree that junior kindergarten should be an optional program, as it has been for so many years, we believe firmly that it should be funded as a category 1 grant in the general legislative grants.

The recent change to place it under category 3 means that it is no longer funded at 100% by the province. Instead, it is funded at each board's rate of grant on recognized ordinary expenditure. This change places a very heavy burden on assessment-poor boards that cannot match the dollars raised from the mill rate effort in assessment-rich boards.

We therefore recommend that junior kindergarten be recognized as an essential component of our educational system and that funding for it be restored to the category 1 level.

**Consultation:** The funding of elementary and secondary education is a shared responsibility between the province and locally elected school boards. Under this dual responsibility, it is essential that the province consult with boards on proposals that will have an impact on programs and services and how they are to be delivered. Full consultation builds trust, helps ensure that the effects of proposed changes are identified and considered before final decisions are taken and builds a shared vision for the future.

We therefore recommend that the Ministry of Education and Training provide for adequate consultation with school boards through the provincial associations on proposals which affect the delivery of elementary and secondary education.

**Mr Daly:** Just in conclusion, as we said at the outset of our presentation, fairness demands that all students be treated equitably. In the context of fewer resources, this is possible only if the current funding inequities are taken into account and only if all boards, including negative grant boards, contribute their share of the burden of the \$400-million saving strategy.

Funding decisions that reduce equalization grants have the effect of penalizing children in assessment-poor boards, both Catholic and public. Providing fewer resources for the education of some Ontario students means that their future contribution to the economic, social and cultural life of the province may well be adversely affected.

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Education is a shared responsibility between the province and locally elected school boards. Both partners face challenges to provide excellence in education to help each child be the best that he or she can be. OSSTA, representing 53 separate school boards across Ontario, extends its hand to work with the province in support of education for all students in schools across the province.

We urge the government to implement the recommendations outlined in this brief. Again, thank you for providing us the opportunity to present our views. We'd be pleased to respond to any questions.

**The Vice-Chair:** Thank you very much. We have five minutes per caucus and we start with the government caucus.

**Mr Pettit:** Thank you, gentlemen. I'd be remiss if I didn't say that Mr Daly is a Hamilton trustee and to also say that we're very proud of his recent election as president of the Ontario Separate School Trustees' Association.

My question is actually for you, Mr Daly. The separate board in Hamilton recently reached an agreement with the teachers which I'm led to believe will save in the neighbourhood of \$3 million in what would appear, to me anyway, to be a model of cooperation and understanding of the fiscal realities facing all Ontarians.

When I mentioned the deal this morning to one of the other groups, I think it was the Catholic teachers' association, if they would entertain such a deal, the response we got was a stern no. I'm wondering if you could please explain the mechanics of the agreement that you worked out with your teachers and just how you were able to reach such an amicable agreement between the board and the teachers.

**Mr Daly:** I'd be pleased to do so. I don't pretend to speak for the teachers, but I can certainly for our board and I think understand the principles with which the teachers came to the table.

Clearly we understood that the \$5.6-million reduction in revenues to our board created a serious situation that we all shared ownership in. We went to all of our employee groups, suggested to them that we all needed to share in the burden of that cut. I think seven of the nine employee groups in our system came to the table. Some went to far as to open up collective agreements that expire at the end of 1997 to be part of the overall solution. Specifically, the elementary teachers — the question that you asked — understood that were we not to achieve the settlement, we would have been in a position of having to perhaps eliminate junior kindergarten, to lay off a significant number of teachers. They did not want to see that happen because of their interest in students and because of their interest in their fellow staff.

We reached an agreement whereby, through attrition, we reduced by 30 teachers. Obviously there needed to be some changes in the collective agreement that allowed that. They approved that and, as well, some significant restructuring of the benefit plans that saved our board over \$1 million a year. The combination of those two issues saved \$3 million a year, as you indicated.

**Mr Pettit:** Thanks a lot. I'll defer to Mr Skarica.

**Mr Skarica:** I'd like to congratulate you on your new position as, as well, on what you've accomplished through negotiations in a cooperative-type spirit of agreement between all the stakeholders in Hamilton. Quite frankly, that's what the government was hoping would happen province-wide. It appears to have happened in some areas and not in others. Even we, as politicians, have taken a pay cut. Mr Silipo, being the former minister, has taken the biggest cut of all for the last year.

**The Vice-Chair:** But that wasn't voluntarily.

**Mr Silipo:** You'll find out what it's like a few years from now.

**Mr Skarica:** Is that type of agreement possible in other areas of the province? Because some of the submissions have said to us, "We've already cut to the bone; it's not possible to reduce our expenditures any further."

I note from looking at your own expenditures in Hamilton, they're pretty well as low as you go in the province.

**Mr Daly:** My own view is that first of all we need to correct the funding inequity issue and provide a level base. Assuming that takes place, clearly we all share in the responsibility of providing education to our children. The employee groups obviously receive in the area of 80% of that which school boards spend money on and need to be part of the solution. There just is no way that a board can reduce expenditures without that taking place.

I think our association is confident that we can work with our other partners in Catholic education and develop strategies that respond to the reality that we have to do the same or more with less and will come to the table with that attitude. That does not move away from the responsibility we think the government has to move ahead with education finance reform, and those two issues have to move together.

**Mr Patten:** Likewise, excellent presentation; good background, good analysis. On page 2, when you identify the resources that have been taken away from the system essentially over the past three years and you arrive at a total of \$950 million, and then you annualize the \$400 million from 1996-97, that suggests that will probably be around \$1.3 billion to \$1.4 billion that's been lost from the system in a four-year period. Would that concur with your figures as well, if you extrapolated one more year?

**Mr Daly:** Assuming the capital was —

**Mr Patten:** The \$400 million is over a four-month period, if you annualize that for next year, for the next budget year.

**Mr Daly:** Yes.

**Mr Patten:** So that's a heck of a lot of resource, close to a quarter — I think it is about a quarter — of the total amount of money, which I believe will probably place us below the average of all the other provinces in Canada.

In terms of Bill 34, in your recommendation related to mandating negative grant boards to contribute their fair share of the \$450 million, I have two comments on that. One is that boards are left in a position of, well, we got hit, so why didn't you get hit too, which essentially is what that is. None of the money that would be taken from the negative grant boards would go back into education, so it does nothing for the educational system, regardless of how much money is taken out of that. It's only, we got nailed, so we want you to get nailed too. That's my first comment.

The other is that — this is not to say, by the way, that I don't agree with educational finance reorganizing or review and change — my understanding is that the board is faced with a threat from its own taxpayers who are saying, "If you take this money that we are directly giving to you as a board," and we have trustee representation, representation by taxation, "we will sue you."

So the board is caught between the — I don't want to be judgemental here, but they feel threatened by some of the things the province is saying in terms of: "You'd better come across with this stuff one way or the other. We know we can't do it, otherwise it would have been in the legislation." They couldn't mandate. Believe me, if



the province could mandate that — they couldn't mandate it. Why? Because there's a constitutional issue at stake here in terms of indirect taxation. That's the problem I believe those boards are facing. What's your comment to that?

**Mr Daly:** Just so we make our position clear, our position would be that out of the \$400 million, say, for example, if the two negative grant boards' contribution was \$60 million, then the reduction to the remainder of the boards in the province would be \$340 million. We're not suggesting that be an additional \$60 million the government, any government, may choose to take for whatever purposes they see fit, we're suggesting that it reduce the impact on all the assessment for boards in the province and those that would receive grants. So we're saying it would reduce the impact on the other boards.

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We do not see the provincial pooling of non-residential assessment as a constitutional issue — and clearly we are ones who speak proudly and strongly about our constitutional rights — we see it as an issue of equity for all children in the province and one that the government can proceed with with our support and with that of many other assessment-poor boards as well. We are here today urging the government and all parties to support that position.

**Mr Patten:** In terms of moving towards educational funding reform — I believe the report is at translation at the moment, at least I'm told, and we may see something surface fairly soon — there will be lots of sacred cows that will have to be addressed, on the public school side, on the separate school side and any other school boards. One of the areas I have heard about from public school boards is, "Listen, if you're talking about across-the-board equality for everyone, we would like to see the separate board acknowledge that not all of their teachers have to be Catholic teachers." What would be your response to that?

**Mr Daly:** I would suggest to you that Catholic boards have acknowledged that for 150 years. Our position is — and that's, as you know, why we've challenged section 136 — that we feel we have the right and want to maintain the right to prefer the hiring of Catholic teachers. I know, and I would suggest to you that probably every Catholic board in the province has at times hired and continues to hire non-Catholic teachers, and they provide tremendous service to our system, but to continue to deliver the programs Catholic parents demand of Catholic school boards, we need to maintain that right. I don't think it's the same issue.

**Mr Patten:** My last question is, do you believe that the ceiling you referred to is sufficient to provide the basic quality of education for everyone, even if that ceiling was for everyone?

**Mr Daly:** No.

**Mr Patten:** What do you think might be sufficient?

**Mr Daly:** It would not be fair for me to throw out a number, but it's significantly more than what it is.

**Mr Martin:** I wanted to congratulate you too, Patrick, on your election. I'm just wondering if you have to be Patrick in order to exercise any leadership.

**The Vice-Chair:** No, but it helps.

**Mr Arthur Lamarche:** I'm an Arthur, by the way.

**Mr Martin:** You don't have much of a chance then in terms of the presidency. Neither does Regis. I'll have to talk to him about that.

I'm glad actually that you pointed out in your brief some of the very difficult work we were doing as government in our term to try to come to terms with the very difficult financial situation we faced. You may get the impression sometimes that all we were doing was spending, and that actually wasn't the fact. We were really working hard at trying to manage. The only difference — well, I shouldn't say the only difference — one of the major differences in our approach was we weren't entertaining the possibility of a tax break. During the election the Liberals had in their red book a tax break possibility, and of course we're seeing that the now government is living up to that promise and we're moving ahead with a tax break. Just very quickly and briefly, if you had the power to decide what was more important for Ontario, continuing a critical level of support for education so it's the best that it can be or a tax break, which would you do?

**Mr Daly:** I'm not sure if that's a — I appreciate the way it's being asked, but I would only be expressing my own personal views. Our association obviously hasn't taken a position and we think that's appropriately dealt with by people such as yourselves in the provincial Legislature. I have my own personal views and would be pleased to share them with you after, but I don't think, representing OSSTA, that would be appropriate. I'm not sure if Pat wanted to —

**Mr Slack:** No, that's fine.

**Mr Lamarche:** When we get into the tax breaks, I think the better job we do looking after our kids now, the better job they're going to do looking after us in the future. I think the reason we're here is that we're here for the kids. I think a tax break is fine and dandy, but if we can guarantee equality to our children, that's a priority. That's an individual speaking.

**Mr Silipo:** Thank you very much for the presentation. I hear your comments about the negative grant boards, and we had a chance to talk a little bit about this in the past. But I wanted to focus in on one aspect of your presentation that relates very much to that. As you correctly point out, some if not most of these inequities arise because the recognized cost of education at the provincial level is far lower than what in fact the vast majority of boards spend in terms of the grant ceilings. Have you done any calculations within the association to determine if the grant ceilings were increased — I don't know — even to some kind of average amount that the boards are spending above the grant ceilings, what that would do to the negative grants? Surely it would reduce it by a significant amount.

**Mr Daly:** I think we have done some analysis and my memory is that \$2.5 billion is spent over ceiling expenditures and I think approximately \$1 billion, or slightly over, of that would be required to bring about equity, so half of that which is being spent now over ceiling, because many boards spend over ceiling.

**Mr Silipo:** And that's right across, Catholic boards, public boards, spending, because 95% I believe, or close to that, of school boards —

**Mr Daly:** Ninety-five per cent of the boards spend over ceiling.

**Mr Silipo:** That's right. The point I wanted to underscore in that was that in fact it has as much to do, I would argue — and if you don't agree with me, please let me know — it seems to me, with this notion of a negative grant as anything else does.

Certainly a couple of years ago when I used to have to be concerned more directly than I am today about the grant formulas, I understood very clearly how ridiculous it is, because it doesn't reflect what boards are spending, first of all, and then it creates these artificial distinctions between boards. Not that there isn't an issue around assessment-rich and assessment-poor boards — clearly that's there and those things are there — but it seems to me that it comes down to really taking the bull by the horns and saying we've got to dramatically change the way in which we fund our school system, and start by recognizing what all boards have already recognized and are doing, which is that they need to spend more than what the grant ceilings now say you have to spend in order to provide a good level of education. If we did that, it seems to me we also would reduce greatly this kind of pitching one board against the other, and in this case pitching also one sector of the school system against another.

**The Vice-Chair:** Do you have a quick comment on that? We're running a little bit over.

**Mr Daly:** We see that the major part of the problem is the commercial and industrial assessment being concentrated in very few parts of the province, and that has allowed certain boards to spend significantly more than others. There are very few boards that have that luxury. We would agree with you that many boards should be spending more, but the solution is to have the few high-spending boards come down to that reasonable level and that would solve the problem.

**The Vice-Chair:** With that, we thank you very much for your presentation.

**Mr Silipo:** Mr Chair, while the presenters are coming up, could I ask for some information to be provided to us by the ministry? Would that be appropriate now?

**The Vice-Chair:** You can ask.

**Mr Silipo:** These are figures that should be readily available. We've heard a lot here about the question of junior kindergarten. I wanted to pursue it with the last presenters but we didn't have the time. I would appreciate getting, and I'm sure the members of the committee would find it useful to have, a list of the boards which have decided to eliminate junior kindergarten. That would be one piece of information. The second would be to get a comparison of the provincial grants for junior kindergarten between last year and this year — that is, between the 1995 legislative grants and the 1996 legislative grants — for those boards which are continuing to offer junior kindergarten, because one of the points made in here was the change in the grant structure.

**The Vice-Chair:** We'll get a copy of that. Since Mr Skarica didn't hear, I'll get it to him and hopefully we'll get an answer a little later on.

**Mr Skarica:** I'm always cooperative.

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## STORMONT, DUNDAS AND GLENGARRY TEACHER AFFILIATES

**The Vice-Chair:** The next presenter is the Ontario Secondary School Teachers' Federation, District 21, John McEwen, president. Welcome, Mr McEwen, and perhaps you could identify the other presenter with you.

**Mr John McEwen:** Good afternoon. As you know, my name is John McEwen, and my partner beside me is Brenda King. My colleague presidents in Stormont, Dundas and Glengarry are listed on the cover page of the brief. They have asked me to speak on their behalf as they are unable to attend, so in point of fact the record should show that I am making a presentation on behalf of all the teacher affiliates in SD&G, public and separate, secondary and elementary, English and French.

In June of last year the present government came to power in Ontario. The government has moved very swiftly to implement its program, a program to slash government spending in what we consider a radical measure. This is done in the name of waste elimination, deficit reduction and bureaucratic minimalization. The government has systematically sliced into those services which governments provide — services which safeguard the safety and wellbeing of individuals and communities, and services which permit Ontario to exist as a civil and a civilized society. No area of government, despite previous promises, has been left untouched.

Our government seems bent on eliminating those things which have made Canada the envy of nations and Ontario the benchmark of the Canadian provinces. There has been a considerable public outcry over many of these cuts. Publicly, I have heard the government declare with much self-satisfaction that such complaints can be easily ignored. Fortunately, the rules of our Legislature require hearings such as this one. My colleagues observe, however, that it's a mockery of the democratic process to stage hearings, as was the case with the earlier bills in this series, which then proceed without perceptibly affecting the severity or the direction of the attacks on the people of Ontario.

None the less, despite these observations, we are grateful that we were permitted to appear. We were not permitted to do so when the Bill 26 hearings were held, nor were we allowed to appear before the Bill 31 hearings. We are also grateful to the MPP for Cornwall, Cornwall township and Charlottenburgh, John Cleary, who ensured that our written submissions were given to the legislative committees considering these two bills.

You may find it odd that we have agreed to participate in what some of us consider a futile exercise. I confess we have grown somewhat cynical and somewhat discouraged, but we speak none the less, because our constituents, the members of our teacher federations, have commissioned us to enter our concerns, fears and reservations and our resistance to Bill 34 into the public record. The present government must not, and will not, have the luxury of pleading, "If only we had known," or "We couldn't have foreseen," or even "We didn't intend that result," when the dire effects of this legislation adversely affect the quality of life here in Ontario.



We are here today to tell you this must not be passed in its present form, and we are also here to discuss some of the reasons we believe it must not be passed as written. We suggest that you ignore our words at the peril of the wellbeing of the people in this province.

We have many things we would like to talk about, but we'll focus on primarily two things: first, junior kindergarten, and second, those affecting adult education.

Bill 34, we believe, is at one and the same time an anti-person bill, an anti-family bill and an anti-society bill. It stands beside previous bills issued by this administration in that among its immediate targets are the most extremely vulnerable clients of the school system: the very young and the last-chancers, the four-year-olds and the former high school dropouts. Like the previous targets of Mr Harris's government's policy, these groups are the least articulate and the most powerless among us. It is well known that students who begin their primary education with an adequate set of skills, abilities and attitudes have greater opportunities for success and stay in school longer than those students who enter grade 1 without those attributes. It is understood that the present junior-senior kindergarten system provides a levelling-up opportunity for four- and five-year-olds to acquire those attributes. Research has shown that early education identifies children who are at risk in their development and where remediation can afford them later success in school. This is particularly helpful for students who are otherwise disadvantaged. In the long term, early education experience has been linked to diminished dropout rates.

I'd like to read into the record a report from the National Center for Education Statistics. It's an arm of the US Department of Education. The report is entitled *Approaching Kindergarten: A Look at Preschoolers*. I will read to you a concluding paragraph.

"The results of the study indicate a need for innovative approaches to the provision of early education services to disadvantaged children. As previous studies have shown, existing preschool programs have beneficial effects in the area of literacy and numeracy but they do not appear to be improving the behavioral, speech and health difficulties of disadvantaged preschoolers."

The need for earlier and more effective interventions for young children with special education needs has been recognized in their federal government legislation.

The parents of Stormont, Dundas and Glengarry understand the value of kindergarten programs. They make sure their children participate. To illustrate the point, in the public board, 85% of the eligible four-year-olds and 99% of the five-year-olds are enrolled in kindergarten programs.

Section 6 of Bill 34, as you know, does not disallow junior kindergarten funding. It enables boards to use their discretion. It allows them to cut if they must or deem fit to do so. The parallel changes to the GLGs reduce provincial funding for junior kindergarten. This ambiguity is a masterstroke of political ingenuity from the government's point of view, but it's a terrible disservice to the people of this province. The state of JK varies from board to board and county to county. Parent, student and teacher committees who would protest are fragmented

into groups of haves, have-nots, might-haves and maybes, and Ontario's four-year-olds are falling through the cracks.

The parents of those with the greatest need for this type of program may have the least opportunity to retain it or replace it. We who are speaking here today hold this government responsible for the frustration of parents, the dismay and the disillusionment of teachers and, most important of all, most serious of all, the ground lost to the children.

Moving on from our position that Bill 34 is anti-person in its undermining of the best interests and educational welfare of the children of this province, we assert that the bill is also anti-society. Perhaps you may have seen in the newspapers this last week the shrill calls of the Reform Party for a tougher response to violent crimes perpetrated by 10- and 11-year-olds. This controversy was occasioned by the alleged rape committed by an 11-year-old child who is suspected of committing other crimes.

We would like to distance ourselves as far as possible from Jack Ramsay's draconian solution to the problem. We suggest that the appropriate response is not a tougher punishment but a more enlightened approach to child-rearing. We in Stormont say it takes a village to raise a child, and this child's failure to be raised should be read as our collective failure to raise him.

Our child care policies are acutely inadequate. In this area, we rank only behind the USA, which holds last place among the G-7 industrialized nations. To lop off junior kindergarten programs is to make our inadequacies even more acute. As a society, we need more, not less, in this area from all levels of government. Damaged and deprived children cannot be excised or isolated like social cancers; they must be nurtured, and the time for nurture is before the damage is done.

Early childhood education complements parental training and nurture. Whether the child-client is four or 14, society benefits when education is accessible to all its members. If you're not persuaded of the high correlation between poverty and lack of education and criminal activity, we've got a fairly exhaustive bibliography we'd be pleased to provide to you. Appendix A and appendix B contain articles from the Vancouver Sun and the Toronto Globe and Mail respectively, assessing the cost of the neglect of our young.

We recommend that the government reimpose the obligation of school boards to offer junior kindergarten programs and that these programs be fully funded in the grant structure.

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At the other end of the age extreme targeted by Bill 34 are young adults, former dropouts, who summon tremendous courage to try once more to meet society's expectations, who seek to gain the citizenship paper in the form of a high school diploma. These are the disfranchised of our communities. We must not, in fact we cannot, afford to slam the door in their faces. Their loss does not just leave a void; it also is a threat to our personal safety and our personal security.

The government has acted against adult students in a fashion similar to its attack on the education of four-year-olds. Adults are not denied access to high school educa-

tion. Instead, boards are given the power to direct an adult student to enrol in a continuing education program. Where the board permits, adult students may attend the regular day school program. In either case, as with junior kindergarten, the grants received will be smaller than before, and like the JK issue, different school boards have reacted in different ways.

Some, like the Stormont, Dundas and Glengarry Roman Catholic Separate School Board, have eliminated adult education. As a result, francophones in the francophone heartland of Ontario cannot get an education in their own language if they're an adult former dropout. Others, like the Stormont, Dundas and Glengarry public board, are striving to continue to provide education to adults. This board, however, will restructure the program to compensate for its reduced funding, and here is where things get difficult.

The continuing education model for adult education is — I've written "difficult," but it's really impossible for largely rural school boards. In order to provide service where it is needed, the SD&G public board has a series of rural satellite campuses for its alternative school. Each of these satellites has a small number, 20 or 30 students, who are studying a variety of courses at any one time. Job responsibilities and personal circumstances have led to a school structure based on continuous intake and progress at one's own pace.

The continuing education model does not permit that. Courses start on a specific date. There are specific times and dates of instruction for a particular credit, and there is a minimum number of students required for a course offering. This is particularly unsuitable to rural Ontario. Imagine trying to find in the village of Winchester, which may not have 100 adults in it, 20 adults who are going to take grade 10 math between 9 and 12 on a Wednesday, a Thursday and a Friday.

There are other specific consequences to the reduced funding for adult students.

First, there is a reduction in service. Reduced funding may lead to reduced staff, larger classes and course offerings which are freely available to those under 21 but only on a limited basis for those over.

Second, reduced funding will result in reduced expenditure for instructional material, supplies and resources. Funding for technological tools and computer hardware and software will also be affected. Most serious of all, adult students may be deprived of the appropriate assessment tools.

Third, the funding cuts threaten the physical classroom. Unlike traditional schools, our adult and alternative schools currently lease space in basements of schools, churches, public buildings, storefronts and in low-rental and municipally subsidized buildings. Our rural campuses require local space to serve the local adult learner. These individuals are frequently without the resources to travel to an urban location to have access to education. There can be no equity of opportunity to learn when funding is cut so that it is financially impossible for a school to rent space and to staff sites throughout a rural community.

Fourth, funding cuts affect curriculum delivery. The learning outcomes, the skills and the knowledge that students, regardless of age, must demonstrate in a second-

ary curriculum are part of a solidly established learning matrix. These performances or demonstrations are clearly anticipated by the educational consumer and by the post-secondary community. It's unrealistic to expect those same outcomes for adults with a smaller expenditure. On the contrary, adults who often carry considerable impediments to learning should be funded at a higher level. There's no point in asking the adult student to return to school, make all of the sacrifices necessary to facilitate this, and then offer a substandard product.

As an aside, I was in Utah the other week. I visited their adult school there, and their adult school was funded at a higher level than the regular day school program. I understand as well, in the state of Florida, they weight students, and adult students have one of the higher weightings. So indeed there is precedent in North America for funding adults not at a level below what the regular day school program has, but indeed at a level above.

Appendix C is an account from the Morrisburg News of the support given to adult education by the Morrisburg town council. This is a highly unusual move for the council, and it's attempting to circulate a resolution of support for adult education among municipal councils.

Appendix D — and I urge the committee to read appendix D carefully — is an article written by Susan Hunt, an adult graduate of the T.R. Leger Alternative School, describing the impact that the school and its method of program delivery has had on her life.

We recommend that the government remove from Bill 34 those sections which allow a school board to deny access to adults to regular day school.

We further recommend that the government end its discrimination against adult students by removing from Bill 34 and the general legislative grant regulations all of those sections that have the effect of lowering adult program funding from regular grant to continuing education levels.

Before we conclude, we must make at least a passing reference to subsection 10(1) of Bill 34, the section which abolishes the statutory entitlement for a guaranteed number of sick days per year. It's our contention that the existing system of sick leave is reasonable. It addresses in an effective fashion the real need which led to its creation and it should be preserved in the interests of the boards, of the students and of their teachers. Such an arrangement is common in public and private sectors and, I might add, more generous in a number of other sectors. The attempt to single out and strip teachers of what is enjoyed by many others is a simple act of discrimination.

We recommend that subsection 10(1) be removed from Bill 34.

In conclusion, we must return to this theme: Bill 34 as a legislative proposal is anti-person, anti-family and anti-society. We would ask that it be withdrawn and we recommend that this committee not proceed with it.

At this point, I would like to thank you for the hearing that you have given us, and we would be pleased to entertain any questions that you might pose.

1520

**Mr Patten:** Thank you very much for your presentation, John. It's hard not to share a degree of cynicism, I



would imagine, but I would suggest that you follow through and watch what happens in the process. I have some questions about the process, frankly, that I share with you in terms of whether especially majority governments really listen.

I think you've pointed out more vividly than most the discrepancy between the urban and rural options, and I think you have graphically illustrated for us the tenuousness and the fragility of the options in a rural area by and large than one might have in an urban environment with options that are there. Therefore, I would ask if you would speak to that at the moment and ask you whether, in your observation, the greatest number of school boards will be the rural school boards which will not be able to afford the adult education option in particular.

**Mr McEwen:** Specifically, if you have a school board that has a low population density, that is, where the population is spread out through a large geographical area, and where there are large incidences of rural poverty, as exists in eastern Ontario, this is going to be a significant problem.

There is also, with that set of factors, a set of disadvantages that must be overcome on the part of the adult learner, which will increase costs. It's not just a matter of bringing the program to the adult learner but, if you've seen the Susan Hunt letter, it's also sometimes assessing impediments that have been long hidden, diagnosing them properly and finding, in a rural area, where such resources are hard to find, those resources and applying them. All of that costs money.

**Mr Patten:** One of the arguments advanced by some members on the government has been that "Well, these are adult learners, they're more mature, they have more experience in life, and therefore all they need is the continuing education model." That's the rationale. I don't share that view. I'd like to get your reaction to that.

**Mr McEwen:** The specific problem with the continuing education model is it assumes that the learner is available in sufficient quantity — there is a sufficient number of them — at specific times of the day or week over a period of time. Many of our adult learners are people who have shift work, who have family responsibilities and who in other ways cannot, although they wish to, be part of a program that requires them to be there each and every day.

The kind of program model that we've evolved in SD&G allows for continuous intake and allows for people to go along as far as they can until something happens to their lives; they take a brief respite, handle that. Maybe you're going back on to the night shift in two weeks, you're on day shift for the rest of this week so we won't see you; when the shift cycle returns you can then plug yourself back in. If people are making those kinds of efforts and those kinds of sacrifices, it's totally unrealistic to put upon them a continuing education model that requires that they turn up on a regular basis, and in fact there aren't enough of them.

I heard someone muttering about my comment about Winchester. There probably aren't 100 people in Winchester who don't have their high school education, and of that 100 they all wouldn't want grade 10 math; maybe just a couple of them might want grade 10 math. But if

you got 20 people in a room and someone wants grade 10 math and somebody else wants OAC physics, you need a model that will deal with that and make sure that they get the same quality of education and the same standard of assessment that's available to the regular day school student.

**Mr Silipo:** Thank you, John. It's good to see that the students of Stormont, Dundas and Glengarry have as strong an advocate in you as the students of Toronto did at one point.

Let me just come down to this point of junior kindergarten because there have been times, I have to confess, in watching the present government, and particularly in the area of education, where I have said to myself, surely they just don't know what they're doing; surely they're making these decisions without realizing what they're actually doing, because if they did they couldn't do this. They talk about local autonomy and then they proceed to put into place what seems to be fulfilling that direction in terms of junior kindergarten, except that then you look at what they've done — and you've pointed this out and the previous presenters pointed out this out — in terms of the funding. They haven't just said to school boards, "Okay, it's now a local option to offer junior kindergarten and, by the way, if you continue to offer it we'll just continue to pay it the way we've done it for years." No, they've also changed the grant formula so that now there's a disincentive to school boards to offer junior kindergarten.

So then I get to the point of saying well, then, this isn't an accident; they in fact are exactly knowing what they're doing. They really don't believe that junior kindergarten should exist and they don't want to simply get rid of it outright, but what they're doing is what they're doing here and what they're doing in other areas, which is to say, "It's the school boards that are making the decision; it's not us." As you correctly point out, it then puts people into a situation locally where it pits one group against another. It pits a school board against another. It pits parents within the same system one against the other.

I guess the question I have of you, whether it's in that area, whether it's in adult education — we talked earlier about the inconsistencies within that as well in terms of what the government is saying not matching what it's doing — are people out there understanding what is going on? Or is there just sort of a general state of despair, of people saying, "It's got to be done and we'll just have to take it no matter how much our system and our society is being ravaged by all of these cuts?"

**Mr McEwen:** Our parents are very anxious to retain the program. Certainly, scholars and others involved in the area of education research understand fully the cost of not providing junior kindergarten. It's a cost that's paid in wasted lives and, frankly, future economically unproductive people.

Beyond that, I can't speak for the broader community but I do know that those people who have a stake in the school system — and the members of the committee should know, I'm a secondary school teacher who teaches at the senior level. I have never in my teaching career taught someone at the junior kindergarten level but I appreciate the value of early education in the students

when they reach me. They properly socialize, they have skills and abilities and they don't have the deficits that other young people bring to the program.

**Mr Preston:** I object very strongly, sir, to you saying that this government is making Ontario cease to exist as a civil and a civilized province, and then telling us that this poor little 11-year-old should be dealt with because he's misunderstood. Sir, I've been in Young Offenders Act caregiving for a number of years and I can tell you what 11-year-olds who have had all the benefits can be like. They don't need to be dealt with a little easier.

I don't suggest that early childhood education should be abolished. I'm all for it. Everybody who has come here today has heard me talk about early childhood education. I just feel it can be done outside of your classroom and outside of the teachers you represent as an agent for them.

I think you're fortunate I'm here to listen to you and you're not here to listen to me because you'd be here a long time. Toni.

**Mr McEwen:** That's quite all right. They are really two distinct questions there —

**Mr Preston:** No, I'm finished. Toni.

**Mr McEwen:** Sorry.

**Mr Preston:** I made statements.

**The Vice-Chair:** He made a statement; don't answer.

**Mr Preston:** I made a statement. I don't need any answers. I heard what the answers were like before.

**Mr Skarica:** He has the right to answer. Go ahead.

**Mr McEwen:** Thank you very much, Mr Skarica. I thought I heard two distinct questions, the first being did I think that this government was converting Ontario from a place that exists as a civil and civilized society, and I say yes, I do, not only as a teacher, as a parent, as an environmentalist, as a citizen in my community. I see all sorts of things that threaten the existence of the quality of life in my community that can be tied directly back to what this government has done, so yes, I believe that to be true.

The second question had to do with the 11-year-old. No, I don't believe the 11-year-old should be left. I don't believe that. What I believe is that young people of that age and younger age should be provided with the adequate supervision, training, nurturing that is required, and in the case of the 11-year-old, he has to be dealt with. That is not necessarily to say that I advocate taking him out to the middle of Nathan Phillips Square and stringing him up, but rather I believe that there are things that you do with 11-year-olds to bring them along no matter how terrible they have been so that they become productive adults. That's what I believe, sir.

**The Vice-Chair:** Thank you very much, to both of you, for your presentation.

*Interjection.*

**The Vice-Chair:** No, not to you, Mr Preston. You're with us every day.

**Mr Preston:** Not very much longer. We have to leave, Mr Chairman.

**The Vice-Chair:** No, we still have one presenter, Mr Ken Slemko.

**Mr Preston:** Have you got the airplane scheduled to wait?

**The Vice-Chair:** These delegations are scheduled and I think we should hear them all. I understand, and I just want some direction on this, that there is an Albert Chambers here as well, who represents some 30,000 parents, so I understand. I understand that there's a waiting list as well and I want your direction as to whether or not you want to hear from Mr Chambers.

**Mr Preston:** Mr Chairman, I had some notes a moment ago about — there have been two or three objections today about people who could not get in to see us. I was not on the past tours, but I do know that I have seen in Toronto and Windsor and here exactly the same people again, over and over and over. That is what is preventing people getting in here. We've heard from 32 people from the OSSTF, and the guy who's representing 30,000 or 60,000 parents can't walk in the door and get a place here. There's something basically wrong with that. I've heard the same thing, in the same binders, over and over and over and yet a person who has some representation can't get in.

**The Vice-Chair:** I understand your point. I understand there's not unanimous consent to have this gentleman heard. All I would suggest to you, sir, is that you provide us with a written brief —

**Mr Skarica:** Can I propose something?

**The Vice-Chair:** Yes.

**Mr Skarica:** You're a parent here, and the other individual here. Perhaps, you have a half-hour, if you could share half your time with the other individual. I leave it up to you. I don't want to put pressure on you.

**Mr Preston:** You haven't come here with a big presentation, have you?

**Mr Ken Slemko:** I have a presentation here. I know Albert very well. Actually, we work together on the joint council for the Ottawa Board of Education. He's the chair and I'm the treasurer. I'd be happy if he'd like to maybe — what do you think? How about 10 minutes at the end of mine? I think my thing is limited to about 15 — how about we just waive about 15 minutes?

**The Vice-Chair:** We will waive questions and we will listen to both of you up to that, but no more than that, not past 4 o'clock, and it's 3:30 now. If you'd like to join the gentleman at the table, sir, you're more than welcome to. All right, sir, go ahead with your presentation.

1530

KEN SLEMKO

ALBERT CHAMBERS

**Mr Slemko:** What I would like to say, though, is that these are my remarks as a parent. They're not representing any group. So let me get started here.

I knew it was going to be late in the afternoon, so the first part of my presentation is a cartoon which I think gives you a bit of a view of how parents sometimes might view the whole education system. You can see federations, school boards and ministries all pulling in different directions. Sometimes we don't really know who's on what end of the rope there, and wondering whether there's disaster for our children lying at the end of all of it. I thought I'd just start out with that, sort of lighten things up a bit here.



The next part of it, I've given you these various things that you can follow as I'm going through my presentation. They're quick summaries of what I'm going to say, but I'll get started, and the complete text of my speech is in the back there.

I would like to thank the committee very much for providing me with an opportunity to present my views on the proposed amendments included in Bill 34. Although I am active on the parent advisory committee at my children's school and in the umbrella organization which advises the OBE on parents' views, my remarks today are my own, representing those of a parent with a 10-year-old son in elementary school and a 13-year-old daughter about to start high school next year.

I'd like to start then, because it's getting late, with a Chinese proverb that I found: "If we don't change our direction, we are likely to end up where we are headed."

While the amendments do go some way to changing our direction, I am concerned that unless they are broadened, we will still end up too close to where we are currently headed, a direction that has me and I believe other parents concerned.

Let me start by indicating the areas I would like to highlight. First, I would like to make a short comment on the financial realities facing the education system. As part of this, I would also like to address the provisions that would authorize grant-negative boards to make equalization payments, an item close to my pocketbook, being an OBE ratepayer.

In the next part of my presentation, I recommend that the annual financial report proposed in Bill 34 be expanded so that it will be a true accounting of the school board's activities.

I close with an urgent request, which I know is shared by many parents, that the legislation be reviewed to give the education system the flexibility it needs to retain the best teachers with the needed skills to educate our children. Let me start.

These amendments must be judged in the context of the significant financial pressures facing the province of Ontario. As a parent, it is easy just to say that education spending should be left untouched. However, in my view, that would be shortsighted. Even if our children received the best and most costly educations in the world, we would leave them in a sad state if we continued to pile on them an ever-growing mountain of debt, and this is, unfortunately, the situation we face.

Therefore, in looking at the proposed amendments, I asked myself two questions: First, how will they affect the ability of the system to meet key education needs, and second, how will they provide the system with the flexibility it needs to reduce costs while still delivering the necessary services?

As a ratepayer to the Ottawa Board of Education, I must confess a certain pecuniary interest in the proposed revisions dealing with grant-negative boards. As I understand it, the proposal is to add words to the act so such boards could send money to the provincial government for redistribution to other boards.

The major problem I see with the proposed amendment is that it singles out one group of ratepayers and suggests that the money they believed was being collected to meet

local needs is instead being sent to Queen's Park for redistribution to other communities. It would be very difficult for we Ottawa ratepayers and parents to understand what would possess our trustees to take such action, short of major provincial arm-twisting.

I think it would also create a money-making opportunity for one group many of us might like to see making less: lawyers. My business experience suggests that lawyers make money whenever the law is unclear or subject to interpretation. Certainly this provision has all the hallmarks of becoming a cash cow for the legal profession.

Having just been through an excruciating budget process with the Ottawa board, I can assure you that through a significant accounting error and by spending estimated budget surpluses that never materialized, the trustees have made sure that OBE parents are suffering as much as those in other boards where grants were cut.

What this provision really points out is the major need to reform the financing of education and the way in which grants are made to individual boards. I would recommend that instead of going ahead with this provision, the provincial government move ahead on an urgent basis with its financing reform initiative. In my view, financing reform has had enough study. It is time to see some concrete proposals.

I would like to add a few words on the matter of financing reform. Pooling assessments from each board in the system and redistributing the money through grants is not the best solution in the long term. Property taxes can be highly regressive, and there are differences from one municipality to another in the base that is used. The government should take a serious look at financing a larger part of the school system either through an income or a consumption tax. I would not see this as representing an increase in income taxes. Just as there is only one taxpayer, so too there is only one pocket with money, and how the government decides to pick it is largely immaterial. The government might as well choose the fairest and most progressive way.

The grant system will also require reform. Grant-negative boards like the OBE are, in my view, victims of their own success. By providing a broader array of programs to meet special needs, they have attracted those with the special needs. The grants to the Ottawa board will have to be higher so it can continue to provide such programs as English as a second language, programs to the handicapped and the like. Given its aging infrastructure, the province will also have to provide the OBE and other inner-city boards with the funds needed to renovate older schools so the central parts of our larger cities will continue to attract young families.

Accountability of school boards and the Ministry of Education and Training are a major concern for parents. For this reason, I welcome the proposed amendments which would require boards to provide financial statements and a record of initiatives they have taken to save money through joint ventures. The problem is that these proposals don't go far enough.

Based on my experience and conversations with other parents, we share a common worry that many of our boards lack either the will or the capacity to plan for the

long term or to set priorities. Therefore, I suggest that the report that boards would provide to ratepayers be expanded in two important ways: First, each board should provide ratepayers with a clear statement of its objectives for the next year and for the next three years; second, each board should report to ratepayers on how it met the objectives it set for itself, and, where it failed to meet those objectives, an explanation of why. The report should also summarize any program reviews the board conducted and how the board responded to the findings of those reviews. This would force boards to develop clearer missions and objectives, to systematically review their programs, and to report to their key stakeholders on their results. In my view, this is where the real emphasis should be placed. Financial statements are nice, but understood by few — which brings me to the Ministry of Education and Training.

1540

What is good for the goose should be good for the gander. There is growing frustration among parents over the lack of activity in the ministry on a wide range of key education issues. They include the ministry's role in curriculum development, where many curriculum services units at board levels have been substantially reduced, with the understanding the ministry would play a larger role in this area; the plan for redesigning intermediate and high school when high school will end at grade 12; and the tools that boards and schools will use to deal with the reduced funding.

All stakeholders would be very interested in the ministry providing a clear outline of its mission and objectives and a report on its success in achieving these. Therefore, I would recommend also mandating an annual report from the ministry on its direction and activities.

Only a short comment needs to be made about the proposal to repeal the section that allows teachers to be paid for their unused sick leave: About time. I think most parents found it a bit outrageous to learn that after paying teachers what are very good salaries, we also provide them with an extra and costly incentive to take sick days only when they are sick.

I would like to spend my last five minutes concentrating on what I believe is a key concern to parents. As a parent, I ask simply that the education system ensure that the best teachers, with the necessary skills and support, teach my children. As we all know, most of the education our children receive is still provided by teachers in the classroom. With the cuts that have been going on over the past few years — they are certainly not limited to this year — parents are becoming increasingly alarmed that the system, with all its rigidities, is simply not ensuring that we always have the best teachers with the right skills in our classrooms.

Before I go on, I want to make it clear that I have tremendous respect for teachers. When I have been particularly impressed with one of my children's teachers, I have made it a point to ensure that the superintendent and principal are aware of how much we as parents appreciate the teacher's work. But I have doubts that the current system will ensure that those teachers will be working next year.

Seniority is a great way to determine who stays and who goes during cutbacks if you are building Model T

Fords. Back when Model Ts were being built, every worker essentially added one part. If cutbacks were needed, then preference could be given to the older workers, since they could do the job as well as the recent employees. It is interesting to note that in a modern car factory, specialized workers like robotics experts and computer specialists use their expertise to ensure modern cars are produced. If seniority ruled the day, the plant would have great difficulty producing cars. A similar conclusion can, I believe, be drawn for a modern education system.

Merit and skills should play a larger role in determining which teachers instruct our children. I am particularly concerned that the current labour arrangements simply do not permit this to happen. To provide an example, the Ottawa board has decided to replace teacher-librarians with library technicians, and has considered on several occasions eliminating junior kindergarten. The teachers displaced by these cuts, if they have seniority, will bump out younger teachers who may very well be better qualified to teach our children. I am particularly concerned that we are losing teachers with the skills and ability to use the latest technology in meeting the education needs of our children.

Just to illustrate, I note that a teacher who graduated in 1970 used a slide rule to multiply big numbers. A teacher who graduated in 1980 used a calculator. A teacher who graduated in 1990 used a computer. Which of these is most likely to take advantage of the significant advances in information technology to teach our children? Probably the 1990 graduate. I must note that many older teachers have kept improving their skills, and with their experience are among the best teachers in the system. Others, however, are not.

I do not believe that boards of education are capable of dealing with this matter on their own. The ministry will need to determine what changes are needed so the best teachers with the right skills will be teaching our children. We need to review the act, regulations and other procedures to determine what provisions work against this basic principle. This may require collective bargaining at the provincial level. It will involve extensive discussions with teachers' federations to see how best to implement the needed changes, but it must be done.

In summary, therefore, I would like to run through the main points of my presentation.

First, the education system must be made more efficient. We do not have the option of continuing to spend large sums of money on education without focusing on what the system must deliver and how to do this at lower cost. Financing and grant reform must be acted upon immediately. The issue of grant-negative boards should be dealt with as part of that reform and not through the proposed changes in Bill 34.

Second, school boards and the Ministry of Education must be more accountable to their clients. The proposal in Bill 34 should be expanded so that both boards and the ministry are required by law to provide an annual report on their short- and long-term objectives, on how they met those objectives, and on their financial state and cooperative efforts.



Finally, it is essential that the law be changed to provide greater flexibility so the best teachers with the right skills are teaching our children. It won't be easy, but as a parent I feel it is key to providing our children with the education they will need in the highly competitive global economy of the 21st century.

**The Vice-Chair:** Thank you, Mr Slemko. You've given us a lot of food for thought.

Mr Chambers, you've got seven minutes.

**Mr Chambers:** Seven minutes? Your watch runs faster than mine.

**The Vice-Chair:** Okay, eight minutes.

**Mr Chambers:** Mind you, we've both been here all day, which I think goes to show how much some volunteers are willing to put into the running of schools in this province.

I represent the joint council of the elementary and secondary school advisory committees of the Ottawa Board of Education. I'm their co-chair. So in effect I represent the parents of the approximately 30,000 students in the Ottawa Board of Education. Come September, I hope to represent the school councils, which will replace those advisory committees in each and every one of our schools.

I hope that in future Mr Preston's suggestion will indeed have an impact on this committee in that if this committee is going to engage in hearings about education, it does exercise some forethought to make sure that parents are (a) informed and (b) able to make representations.

On Friday, when I was told that we were not on the A list, I called my counterparts at several of the other boards in Ottawa to find out that their organizations had not even been informed of the opportunity to apply to be on the list. My sense is that there was a certain amount of concern about that, although frankly, some of them, being sufficiently bruised by the budget debate they were just finishing, perhaps didn't have the energy to invest in such a presentation.

Most of what I would have said today and put in a brief has been said about the junior kindergarten and about adult high school. Obviously, the chair of the Ottawa Board of Education, when she made her presentation this morning, enunciated very clearly the views of ratepayers and parents in the Ottawa Board of Education about the provisions in Bill 34 concerning the equalization payments. These are unacceptable to parents and ratepayers in Ottawa.

She noted, as we have noted in a letter that was sent to the minister and is included in the package that she presented, as long ago as March that local taxes are raised for local purposes. Those of you who have had experience on municipal councils, on boards of education or wherever in your past understand the views of municipal ratepayers when they expect the money they raise to be spent in their communities.

Ken has already indicated the importance of change, as have many others today, in the education financing system. What we are talking about must be progressive and equitable. I cannot myself believe that I sat here through the day and listened near the end of it to a group of trustees come in and say, "We will simply take from,

on the most regressive base possible, one community to give to another." It just doesn't fathom with my understanding of their responsibilities as agents of the population to raise taxes and to expend them that they could possibly be supporting that. I don't think their taxpayers, if they understood what those trustees were saying today — and they were just one group; I'm sure you've heard it in your other hearings — would be willing to support that option. Certainly in this community all we have heard from business and industrial payers as well as from the ordinary residential taxpayer is that this is not an acceptable solution to education financing reform.

The other point I want to make most strongly is one that was also alluded to by the chair of the Ottawa board first thing this morning. It's the lack of consultation that has been undertaken by this government. We all understand the pressures that a government encounters when it tries to change the direction of an institution that has been going in a certain way. We understand that. However, what we also understand as parents is the vital importance of our being confident that the new direction is going to yield the right results. I bring your attention forcibly not to Bill 34 but to the major change this government is in the process of implementing in our education system.

It has, quite rightfully, I think, and certainly with the support of many groups, including the joint council of the OBE, decided that grade 13 will cease. This is acceptable; this is understood; it's supported. However, we have a group of students who are this year in grade 7 who are expected to be the guinea pigs of this process, who are expected to graduate in the same year as their counterparts in grade 8 who will have had the full benefit of 13 years of education plus, if they're lucky, their two years of junior and senior kindergarten. They will have had the benefit of that. They will be operating on courses that are well understood, that universities know about, that will allow them to progress quickly and simply into post-secondary education or into the world of work.

The grade 7s who have been targeted for this change are not yet certain what will be before them in terms of the curriculum. This is of great concern to the parents in this city. It is not acceptable. We understand the need to make the change, we understand the attractiveness of having the saving, but we want to see the curriculum and know it's there before we launch our children into the process.

We have written to the minister to request of him very clearly that this be delayed. We know it costs money to delay it, but we believe it is essential that the reforms take place not just in grades 10, 11 and 12, but starting with the curriculum in grade 7 so that we will have an improved education system. There is a lot of scepticism, a lot of concern, some of it justified, some of it unjustified, about the transition years, but what we see at this point in time from the perspective of the documents that have been leaked — not made available, because the process has been so damn slow — is that we're going to see reform only for grades 10, 11 and 12. Compression must take place; it must start sooner than that.

That is the message from the parents of the OBE. It's one that we hope you will listen to. It is the simple

reason that I have stayed here all day long in order to make it to this committee. We see your role as the guardians of our education system from a provincial perspective. We see no reason at this point in time to have any confidence that careful, thoughtful planning is going into major changes.

I heard someone say today, "We need to have a thorough review of our education system." We have just completed a major royal commission which hardly even had the chance to get debated before it disappeared from the policy agenda of this province. We have had innumerable reports on many subjects. We have lots of information to start with, but we need to review it carefully and think it through. We don't want our children to be guinea pigs. We want them to be successful contributors to the future of Ontario and this country, and we want to see curriculums changed so that we know

what the outcomes are going to be, not have them thrust upon us in a half-assed kind of fashion.

I'm sorry I'm a bit testy at this point in time. I want to thank you for your sitting through this, but I also want to caution you that parents want to have a voice and they expect to be heard by legislative committees. Unions and trustees are not the only people who count in education.

**The Vice-Chair:** On behalf of the committee, I'd like to thank both of you for your presentations. I certainly agree with you that all of us hope these kinds of meetings would be more dialogues than the monologues that unfortunately they've turned into.

With that, I'd like to thank everybody here for attending today. We're adjourned until 9 o'clock tomorrow morning in Thunder Bay.

*The committee adjourned at 1555.*



## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

**Chair / Président:** Patten, Richard (Ottawa Centre / -Centre L)

**Vice-Chair / Vice-Président:** Gerretsen, John  
(Kingston and The Islands / Kingston et Les Îles L)

Agostino, Dominic (Hamilton East / -Est L)

\*Ecker, Janet (Durham West / -Ouest PC)

Gerretsen, John (Kingston and The Islands / Kingston et Les Îles L)

Gravelle, Michael (Port Arthur L)

Johns, Helen (Huron PC)

Jordan, Leo (Lanark-Renfrew PC)

Laughren, Floyd (Nickel Belt ND)

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\*Patten, Richard (Ottawa Centre / -Centre L)

\*Pettit, Trevor (Hamilton Mountain PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Smith, Bruce (Middlesex PC)

Wildman, Bud (Algoma ND)

*\*In attendance / présents*

### **Substitutions present / Membres remplaçants présents:**

Chiarelli, Robert (Ottawa West / -Ouest L) for Mr Agostino

Lalonde, Jean-Marc (Prescott and Russell / Prescott et Russell L) for Mr Gravelle

Rollins, E.J. Douglas (Quinte PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

Silipo, Tony (Dovercourt ND) for Mr Laughren

Guzzo, Garry (Ottawa-Rideau PC) for Mrs Munro

Martin, Tony (Sault Ste Marie ND) for Mr Wildman

**Clerk / Greffière:** Lynn Mellor

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 23 May 1996

# Journal des débats (Hansard)

Jeudi 23 mai 1996

**Standing committee on  
social development**

**Comité permanent des  
affaires sociales**

Education Amendment Act, 1996

Loi de 1996 modifiant la Loi  
sur l'éducation



Chair: Richard Patten  
Clerk: Lynn Mellor

Président : Richard Patten  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
SOCIAL DEVELOPMENT

Thursday 23 May 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
AFFAIRES SOCIALES

Jeudi 23 mai 1996

*The committee met at 0903 in the Victoria Inn, Thunder Bay.*

EDUCATION AMENDMENT ACT, 1996  
LOI DE 1996 MODIFIANT LA LOI  
SUR L'ÉDUCATION

Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

**The Vice-Chair (Mr John Gerretsen):** I'd like to welcome everyone to the public hearings on Bill 34. This is the third stop we're making this week. Having been in Windsor and Ottawa, we're pleased to be in Thunder Bay today.

I'd like to welcome to the committee today members who weren't here before: Mr Grimmert, Mr Brown and Mr Gilchrist, as far as the government members are concerned; as far as the opposition is concerned, Mrs McLeod and Mr Gravelle; and Mr Wildman is rejoining us today as well.

LAKEHEAD WOMEN TEACHERS'  
ASSOCIATION

**The Vice-Chair:** I'd like to first of all ask the Lakehead Women Teachers' Association, the president, Sharlene Smith, and the first vice-president, Carolyn High, to come forward please. Welcome to our hearings.

**Mrs Sharlene Smith:** Good morning. I'm Sharlene Smith, the president.

The Lakehead Women Teachers' Association represents over 500 women teachers teaching in the public school system in Thunder Bay. Our members can see the effects this government's cuts and other measures are having on the children and the women of this province. LWTA knows that the direction this government is taking will not be good for children, women, the poor, our communities, the economy and democracy. LWTA knows it does not make good sense to make these unrealistic changes to education.

All of these proposed changes in Bill 34 are made for the sole purpose of cutting costs quickly. However, no one has addressed how these proposed changes, made in isolation, will fit into the broader vision of what we strongly believe our educational system should provide and accomplish. LWTA strongly urges the social development committee to slow its pace and give serious consideration to all these issues. LWTA urges the provincial government to reconsider many of its decisions which have led to the directions proposed in Bill 34. We support and encourage the government to pursue better integration of services for children, which is found in section 34 of this bill.

This government's actions to make junior kindergarten optional for boards to offer is a myth. Offering JK is no longer an option for many boards because ending it is easier to do than find the savings imposed by the cuts in grants.

Here's what the government has done to date:

(1) It lowered funding for JK from 100% to the rate of grant for each school, approximately 45% on average.

(2) It cut \$398 million from the grants to school boards in 1996, which really means \$800 million in 1996-97.

(3) It introduced this bill which makes it optional for boards to offer junior kindergarten programs.

In fact, some boards that have had junior kindergarten for many years and recognize its value are struggling to keep it despite the government's manoeuvres to remove this valuable program for the young children of this province, but 26 school boards have cancelled it so far, affecting 30,000 young children and their families. In Thunder Bay, the elementary teachers within the Lakehead Board of Education made major concessions within their collective agreement to ensure that this sound academic program is offered to the young children of this community. We do not want our children of northwestern Ontario disadvantaged in their educational growth.

The mass of research, evidence and experience showing what a mistake it is to deprive children of early childhood education should be well known by now, but we feel we must outline it once more for this government.

(1) The 30-year Perry preschool study in the United States found that for every \$1 you spend on early childhood education, \$7 is saved in what has to be done in remedial social programs.

(2) The Alberta government has now reinstated its kindergarten program, saying, "There is a risk some Alberta children would be placed at an educational disadvantage."

(3) There is the commitment in Europe for early school education, and the statistics are there.

(4) The Royal Commission on Learning reported in volume II of For the Love of Learning that school readiness programs "make a substantial difference for children's ability to benefit from compulsory education at age 6."

Making early childhood education difficult to obtain is a mistake in other ways as well. It threatens the most vulnerable in our society — our young children. High-risk children are already being hurt by the government cuts to welfare, municipalities, health care, child care and women's shelters. Now they'll lose the invaluable preventive and remedial effects of early childhood education.

The government should know very well by now that parents recognize the value of junior kindergarten. Last

year, more than 110,000 children were enrolled, 85% of all four-year-olds in the province of Ontario. Locally, over 1,000 young children attend our junior kindergarten programs offered by the Lakehead Board of Education.

The junior kindergarten program has much to offer the four-year-old. For example, it provides opportunities for children to listen, to ask questions, talk about experiences and extend their knowledge of print. Through active play and designed activities children develop an understanding of the underlying skills of mathematics, science and technology, and have opportunities of personal, social and creative growth through various drama, music, dance and visual arts activities. Through planned physical experiences children enhance and develop coordination and motor skills. The programs also teach young children how to make decisions, problem-solve and complete tasks.

As experienced and caring professionals in the field of education, we believe we have a good reason to be worried about this government's actions so far. Early identification programs have proved beneficial to everyone. The kindergarten teacher gets a preview of student capabilities and can begin intervention early.

In September, the minister announced his intention to make junior kindergarten optional, a term rendered practically meaningless by the announcement in November of the massive cuts in grants and junior kindergarten funding. What most boards can no longer afford is hardly an option for them or the parents and the children who live there. Parents are now faced with the challenge of deciding which children will continue to receive a quality education. We have disadvantaged our younger children in smaller communities that cannot locally fund junior kindergarten programs. When did education become a privilege for some and not the right of all children within our province?

What is this government's plan for education? It's becoming clearer and clearer to us that there is no cohesive plan. There is no plan to improve the chances for our young children to succeed. There is no plan for parents who need to know their children are getting the best head start they can in an increasingly competitive world. There's only a plan to cut — cut as much and as quickly as possible without analysing the real costs.

0910

The Metro Task Force on Services to Young Children and Families issued a statement on a commitment to children January 11, 1996:

"We believe that the best investment a community can make in its future economic prosperity and its social stability is an investment in its children. Scientific research has shown that the first three years of children's lives are critical in shaping their mental, intellectual, and social capacities. Without a loving and nurturing environment children will not attain their full potential and society must pay the consequences...."

"We ask governments to make this commitment: Whatever budget decisions you make will improve the health, safety and life prospects of our children; any changes that you make to programs will not adversely affect the lives of children...."

We know a lot about children and how they learn. It is a serious mistake to make children, their parents and ultimately our whole society pay for a shortsighted, singleminded obsession with budget cutting. Please reconsider making junior kindergarten optional, which really equates to unobtainable for most children.

**Mrs Carolyn High:** My name is Carolyn High and I'm the first vice-president of the Lakehead Women Teachers' Association. The area I'd like to address this morning in Bill 34 is the part that refers to adult education.

The proposed legislation states that the ministry will no longer fund students over the age of 21 as regular day students. When we look at who this is going to affect, it's not just students over 21; it's also students who are attending school part-time so they are able to complete qualifications for graduation within the regular time lines, and their time lines may not fit that. It also affects students who leave school and then want to return to obtain their secondary school diploma.

I think we all can agree on the rationale for providing opportunities for adults to obtain an education, the concepts of the importance of individuals becoming lifetime learners and also the necessity for society's commitment to upgrading and that it's more important now than ever in a rapidly changing society for individuals having to adjust to the different conditions and developing new skills for today's job market.

The long-term investment of society in our human resources is very important, but how we go about this, as reflected in our policies and our legislation, is important. I'd like to use a quote that the Minister of Education and Training used, that this new legislation would "provide flexibility to school boards with respect to adult education by enabling school boards to direct certain adult pupils to continuing education credit courses."

In that the word "flexibility" is used and also the concept of the process of delivering a service. When we're looking at that, somehow the Lakehead Women Teachers' Association really doubts that it provides flexibility. In fact, it reduces the opportunity by narrowing the avenues by which people can obtain an education. This is particularly true in the north when we look at certain factors that impact on the process of delivery, things like the geographical factors, size of the school board, the number of students requiring a service, and the capacity for small communities and boards to have the range of necessary services available for people to upgrade.

I'd like to also look at a quote used by the minister, who said, "Our responsibility as leaders of the education sector is to create an education system that is both excellent and affordable." However, the minister in this quote has not included "accessible to all" in the list of his priorities. That's what this proposed legislation does: It decreases the accessibility, not only in location, but also of the cost factor to an individual. I think that's really important. We might think about this question: Do changes in the approach really improve the product, the quality of education or service, and thus the quality of the student?



Another area of concern for the LWTA is the changes to the sick leave provisions in the Education Act which entail removing of the longstanding statutory entitlements of teachers in Ontario to be paid up to 20 days of illness per school year, effective in 1998. Between now and then, collective agreements that provide a lesser benefit to teachers can take effect. After 1998, collective agreements will be the only source of income protection for teachers for illnesses both short-term and chronic.

When we look at this proposed legislation, we have to consider why it's happening, why the necessity for changing what is there now. There are basically two myths involved. One is that somehow or another the number of sick leave days available to teachers at present is out of line or out of whack with the public and the private sectors. But if we really look at it, nurses, for example, receive an average of 18 days per year and sick leave available in other occupations ranges from six to 24 days per year, and accumulate as well. Another myth for the necessity of changing it might be that teachers abuse the system in some fashion. The fact is that right now, in truth their absentee level is below the average in all industries and occupations, and that is also true here in the Lakehead.

Teachers, in their job or their field, have sort of an occupational hazard related to their health too, because they're exposed to a variety of illnesses through their daily contact with students, things like pinkeye or measles and all these kinds of things that go through the school system. We want to make it possible for them to make a good decision by not going to school at certain times because of financial reasons.

In changing this policy, the government is intruding in the area of local collective bargaining between school boards and teachers. Teachers are determined to retain this provision in their collective agreement. As in all negotiations, success in one area involves compromise in other areas. Sick leave has often been maintained at the cost of compensation increases and other valuable working condition areas.

The vast majority of collective agreements across the province contain language providing adequate sick leave and teachers remain determined to preserve these necessary protections. Changing it at this point would create a crisis, where the parties so far have been able to live with their negotiated commitments.

I'd also like to comment on the section that relates to cooperative activities with other public agencies. Currently, the Education Act does permit school boards to enter into agreements with other school boards or municipalities, hospitals, universities, colleges to do joint ventures with investments of money. The proposed legislation adds to this things like transportation, administrative support services, equipment, facilities and so forth. There's also a reporting procedure.

These measures reflect many of the current practices that already exist with boards. They are already going out and trying to do cooperative partnerships with communities. The LWTA really encourages cooperative measures where they do not detrimentally affect the education of children. The LWTA is concerned, however, when decisions are made solely because of severe fiscal

restraint, restraint that has been unnecessarily imposed on school boards.

#### 0920

We have strongly advocated for the last five years for the integration of children's services. I'd like you to note a quote on page 8 from a presentation done by the Federation of Women Teachers' Associations of Ontario to the standing committee on finance and economic affairs:

"FWTAAO believes you cannot isolate out the different aspects of a child—the social, physical, emotional aspects—from the child you are trying to educate. An integrated approach recognizes that all aspects of children's family requirements need to be understood, acknowledged and considered simultaneously."

In the same brief, FWTAAO encourages this government to "provide the opportunity for cooperative approaches to providing services." The LWTA commends this government for acting on our recommendations. We hope this government takes the leadership role needed to be a positive catalyst for change. A positive catalyst is one that does not starve the existing system before mandating cooperation. A positive catalyst would ensure that the goals of the education system and the needs of all children are realized. I'd like to use a quote I saw on a workshop outline in the last couple of days, and that is, "Making sure plans create, not just change."

**Mrs Smith:** In the area of equalization payments, we have serious concerns that the legislation intrudes on the use of the property tax base. School boards have the authority to raise funds locally. Within certain limitations, how much money is raised and how it's used is the responsibility of the elected officials in the communities they represent. This means these elected officials are accountable to their communities for where these tax dollars raised for education go.

To have a portion of these dollars diverted to the provincial treasury and away from the purpose for which they were originally intended is an unjust intrusion into local decision-making and an infringement on the rights of property taxpayers to have revenues collected locally serve those local communities. It is also an intrusion by one level of government, a level that also has taxation powers, into the resources of another level of government. This is just another mammoth tax grab by this government. We find it very odd that a government that places so much importance on local flexibility and local accountability should be taking both away from a selected number of boards and taxpayers.

In conclusion, Bill 34 once again makes us concerned about the direction this government is taking. It raises our fears of this government's lack of understanding of the education system and the needs of the children of this province.

LWTA strongly opposes the cuts to education funding that have been made, fearing that these cuts will damage not only the education system but the children of this province. Lakehead Women Teachers does not believe that such cuts are conducive to positive change. School boards are acting very hastily in trying to meet their budgetary dilemmas. This is not the way to ensure a positive, cooperative atmosphere that will provide a vital

education system to Ontario's greatest resources: the children, our future.

In introducing this legislation, the Minister of Education and Training indicated that the savings realized would be based on three goals: Classroom funding should be protected; opportunities should be provided for local decision-making and negotiated solutions; and local taxes should not be increased.

We ask how a school board can protect classroom funding for junior kindergarten when the provincial government has cut funding for junior kindergarten programs. We ask how a school board can protect classroom funding for adult education programs when the provincial government has cut funding for this program. We ask what opportunities the government sees for local decision-making and locally negotiated solutions other than further cuts; that is the only option available. Clearly, we understand that the goal of this government is to cut programs and to cut jobs.

Ontario's public schools are the expression of our society's commitment to provide members of the next generation with the opportunity to learn about our world, develop to their full potential and find the resources within themselves to shape their future. These are the goals of education, and they've nurtured a school system in which Ontario can take pride. These goals have helped to fashion a society that is tolerant, caring, generous and prosperous. But these goals for education are now in jeopardy. If we aren't careful, we can leave our children with a very different kind of province, one where narrow self-interest comes at the expense of the collective good, a society of the privileged few and of the many who live on the margin. We're already seeing signs of that kind of Ontario, and that's why we're concerned.

Increasingly, you hear education being talked about as just another commodity, something that should be opened up to the marketplace and purchased by consumers. Would a market-driven approach to education, based on competition, produce a better student, a better product? Let's take another look. The marketplace has little to do with equity. In the competition-based market, the people who have the most resources are the people who can afford to buy the best products and services. In the marketplace, the poor, the disabled and the disadvantaged make do with what they can afford or they do without.

A marketplace approach to education is bad news for a society that is intent on making the best use of its human resources. Should children be denied equality of opportunity because they have disabilities or because they come from low-income or middle-class families? Is this the way to optimize the talents of all our citizens?

Canadians have traditionally rejected the idea that market forces should be the determining factor in areas such as public education and health care; rather, they see both as areas of collective responsibility. Canadians have chosen to provide broad-based, equitable funding to public institutions that have a mandate to provide quality services for everyone.

Our schools can be improved, but these improvements need to be based on a common commitment to the common good. They need to be based on fact, not myth. They need to be sustained with a broad-based, equitable

funding system that reflects the fact that public education is everyone's responsibility and that having access to a quality education is everyone's birthright.

If we begin to treat education as a commodity or a product, as opposed to a process that is essential to the wellbeing of our society, we run the risk of losing control over our future. The responsibility for educating our young children is a collective responsibility. We all have an interest, and a say, in seeing that our schools reflect our society's values. We all have an interest in making sure that the next generation has a sense of community, a sense of commitment to one another and to Ontario.

It is the sense of common commitment that binds this province together. Ontario has invested heavily in its public school system, and that investment has made us the envy of others. Schools are ours, open to everyone, serving everyone, giving us a sense of belonging to a community that's rich in its diversity. Schools are a reflection of our commitment to one another. Thank you.

**The Vice-Chair:** Thank you very much for your presentation. We have only six minutes left for questioning, two minutes per caucus. We'll start with the government caucus today.

**Mr Dan Newman (Scarborough Centre):** I will be very brief. On page 1, you talk about there being unrealistic changes to education. What realistic changes can you offer to find savings in education, or is the status quo fine?

**Mrs Smith:** We should have the funding necessary for every child to have an education in the system. I do not see reducing funding in any social program as a benefit for the province, its children and its citizens.

**Mr Newman:** So no savings can be found in education?

**Mrs Smith:** Education should never have been touched in the changes this government is making.

**Mr Newman:** So no savings can be found?

**Mrs Smith:** I don't see any.

**Mr Newman:** Okay. Was this prepared before the budget came out?

**Mrs Smith:** No.

**Mr Newman:** No? Because in it you talk about cuts to health care and child care, and we actually increased funding to health care, to \$17.7 billion; that's an extra \$300 million. We increased child care to \$600 million; that's a \$50-million increase, the highest it's ever been in this province. That's why I asked if it was before or after the budget.

**Mrs Smith:** You've just reinstated some, but there have been cuts in there. We've seen the effects.

**Mr Newman:** But you would agree that overall there is more money now in health care and more money in child care than there was?

**Mrs Smith:** But we're talking about the effects we've seen. There had been changes in the cuts, and now you've reinstated them.

**Mr Peter L. Preston (Brant-Haldimand):** All the experts we talk to find early childhood education one of the primary tenets of bringing up children. It's interesting, though, depending on who is making the representation, whether it's called "early childhood education" or "junior kindergarten."



If quality can be maintained, how do you feel about alternative sites and alternative educators for early childhood education?

**Mrs High:** First of all, instead of just looking at alternatives for saving dollars, we have to look at what we want to accomplish with what we're doing.

**Mr Preston:** I'm saying if the level's maintained.  
0930

**Mrs High:** We have to look at what we want to achieve as far as student learning. We have to say what is appropriate for what we hope for the children to be learning. Is it an educational focus? What are the skills that the professionals need to have who are going into that particular program? It's not that easy to say just change it to early childhood education and change the location. It depends on how you're going to gain the learning outcomes, and we have to actually look at that before we look at the dollar. That might be one of our problems that we see happening with Bill 34: What's driving the process? Is it the dollar or is it what we want to achieve as our outcome and what kinds of qualities we want within society and standards?

**Mr Preston:** I think you missed something.

**The Vice-Chair:** I'm sorry. We'll have to leave it at that, Mr Preston.

**Mr Preston:** Never get the answer to that question.

**Mrs Lyn McLeod (Leader of the Opposition):** Just for the record before I place my question, it will take two years before the government's dollars in child care make up for the \$100 million it cut when they first came into office, and it will never, ever make up for the dollars that have been cut out of junior kindergarten, which will increase the cost for child care and the need for access to child care for a great many families in the province. So the comments about cuts to child care stand as valid in my view.

The question I wanted to place to you is that you know that the Lakehead board, as a result of the agreement you've reached with the board, will be held up as one of the boards that's managed to protect junior kindergarten. There were also significant tradeoffs in terms of being able to at least keep a junior kindergarten program. I'd just like to ask you to comment on the tradeoffs: higher class sizes in junior kindergarten, higher class sizes in other elementary grades and perhaps special education, if there's time.

**Mrs Smith:** I'll let Carolyn answer, who's on the negotiating team.

**Mrs High:** Actually, I think the tradeoffs that we did to retain junior kindergarten are short-term solutions. They did not happen without a certain amount of impact on the educational system, as you mentioned, in class size and so forth.

**Mrs McLeod:** You might, just for the record, say what they are. I think it's 25 —

**Mrs High:** Twenty-five to one within the junior kindergarten classes was the tradeoff for junior kindergarten. So there is an impact that is a negative impact on what is happening. It is something that is possible over the short term, but in the long term would need to be looked at. We did it for the benefits that we saw of early childhood education and the fact of our belief that it is

equalizing, an equity issue and accessibility to education that we think is really important at that age level.

**Mr Richard Patten (Ottawa Centre):** I'd just like to comment on your encouraging the committee to slow down. Just for your own information, the committee's time — we had four days, which amounts to two and a half hours each day, which is 10 hours in Toronto and we've had some time in Windsor and Ottawa, today here and in Sault Ste Marie tomorrow. Then that's it. Next week we go through clause-by-clause of the piece of legislation with the amendments that each party puts forward, and then we report back. The time the committee has in working this through is predetermined so I would urge you to follow through and see what happens with your comments, with the suggestions that you made, how they're dealt with, the recommendations and the amendments that are put forward by the variety of people and whether in fact the government has responded to those.

**Mrs Smith:** We will.

**Mrs High:** Definitely.

**Mr Bud Wildman (Algoma):** I want to thank you for your presentation and commend you particularly on page 10 in your conclusion where you point out the basic contradictions in what the minister is doing in saying that classroom funding should be protected when in fact he's cutting junior kindergarten and adult education programs; that there should be opportunities for local decision-making and negotiated solutions; and local taxes should not be increased. If one of the local options is not to increase taxes, then what you are negotiating are further cuts.

**Mrs Smith:** That's right.

**Mr Wildman:** That's basically what's —

**Mrs Smith:** That's what we've had to do locally.

**Mr Wildman:** My question really is, if we see junior kindergarten made an option and the removal of provincial funding for the program, adult education funding being cut and concentrated in continuing education, this is going to hurt very vulnerable people: welfare mothers, for instance. It's going to make it more difficult to have early identification of kids' problems. Would you agree that this is part of a concerted attack by the Conservatives on the vulnerable in our society: women and children?

**Mrs High:** Absolutely. It's an equity issue and it's an equity issue because in early childhood education, for example, or for junior kindergarten, the wealthier of our society can afford to walk up and purchase services. Junior kindergarten is free and at one point was accessible to all, and it's being cut back. The same thing when you look at adult education training. It is now not as affordable, at a time when our human resources should be our biggest commitment within this country.

**Mr Wildman:** It would seem that the government's own approach is to try and assist people or to encourage people to become more productive. If you cut adult education programs at the same time you're also cutting welfare benefits, it's contradictory. People will be trapped in the welfare trap, and at the same time if you cut junior kindergarten programs, some of the kids of those families are going to be in double jeopardy.

**Mrs High:** Absolutely.

**Mrs Smith:** Disadvantaging the children.

**Mrs High:** We're not enabling individuals in our society. We are putting blocks in front of them and hindering.

**The Vice-Chair:** Thank you very much for your presentation. We appreciate it.

ONTARIO PUBLIC SCHOOL TEACHERS'  
FEDERATION, THUNDER BAY DISTRICT

ONTARIO SECONDARY SCHOOL TEACHERS'  
FEDERATION, THUNDER BAY DIVISION

**The Vice-Chair:** Next we have the Ontario Public School Teachers' Federation, Thunder Bay district; Jim Green, president; and Kevin Holloway, the president of the Ontario Secondary School Teachers' Federation, Thunder Bay division. If you could come forward, please, gentlemen. Welcome to our hearings. As I stated before, you have a half-hour for your presentation, but that includes any questions and comments there may be. If you could identify yourself as you start for Hansard.

**Mr Jim Green:** I'm Jim Green, president of the Ontario Public School Teachers' Federation, Thunder Bay district.

**Mr Kevin Holloway:** Kevin Holloway, president of the Thunder Bay division of Ontario Secondary School Teachers' Federation.

**Mr Green:** We've decided to present jointly because our concerns are very much similar.

The Ontario Public School Teachers' Federation, Thunder Bay district, and the Thunder Bay division of the Ontario Secondary School Teachers' Federation consist of over 1,300 educational workers. We include eight bargaining units representing elementary and secondary school teachers, special education support persons, continuing education instructors and elementary and secondary occasional teachers working for the Lakehead Board of Education and professional student services personnel and student support persons working for the Lakehead District Roman Catholic Separate School Board. Our members are still reeling from the impact of the social contract and the devastation it wrought upon our systems.

Although deficit reduction may be a real goal for government, deficit reduction at any price cannot be permitted. It is unfortunate that this government has failed to consider both edges of the sword in its attempt to cut this deficit. Expenditure reduction may be one of the tools, but income enhancement must also be implemented. Under the current single-edged attack on the deficit, the tax cut proposed by this government is ludicrous.

**Mr Holloway:** Our presentation will focus on some of the effects of the situation with the Lakehead Board of Education. To give you a picture of what's happened over the last few years, the Lakehead Board of Education has been downsizing and increasing efficiency for many years. Prior to the social contract, our staffing was among the lowest in the province and programs were cut to the bone already. Programs and teachers such as subject coordinators, system support and itinerant staff, instrumental music, family studies and industrial arts had

already been eliminated in order to keep the tax burden down. Small schools were closed and students bused to larger and more efficient facilities. We had developed innovative leave programs and other methods of retaining young teachers, so that senior teachers could make room for younger teachers by taking an unpaid leave — not a paid leave, an unpaid leave.

With the coming of the social contract, staffing was reduced by 4.75% for the elementary teachers and 5% for the secondary school teachers and more schools were scheduled for closure or amalgamation. Class sizes were increased with that and students received less service. Our programs are no longer capable of retaining our young teachers and we expect that many of our youngest teachers will have their teaching contracts terminated. As an example, last week we had a meeting with over 53 secondary school teachers who are facing getting their termination slips, and this is unprecedented. We have never had that many people at this stage of the process facing unemployment and possibly leaving the city.

**0940**

If the cuts to education spending continue, the teachers may never return to the classroom, at least not in Thunder Bay, and this is a significant loss, because these are our future teachers.

The \$400-million reduction announced by this government is really an \$800-million reduction over the school year. Since about 1% of the students in the province attend Lakehead Board of Education schools, the Lakehead Board of Education will suffer about 1% of the cut, regardless of the fact that the system is already leaner and more efficient than many others. Contrary to the government assertions, because of the past actions, the Lakehead Board of Education has nowhere to cut but at the classroom level. Our concern is that sometimes the comment that it won't affect the classroom doesn't take into consideration what has been done over the past 10 years to reduce costs.

The Lakehead and District Roman Catholic School Board serves basically the same area as the Lakehead Board of Education. The public board has a higher local tax levy than the separate board. It is an interesting anomaly of this government's program of cuts that the separate board would receive supplementary funding while the public board will receive none. Therefore, public ratepayers will be forced to pay more to keep the systems comparable. There seems to be an inequity in that.

As the cuts force the Lakehead board deeper into the staffing complements, the number of principals and support staff has been reduced by a new concept of amalgamating schools and treating two buildings separated by significant distances as one school. Two schools are in effect sharing one principal and a reduced allocation of teacher-librarian and special-ed resource teacher time.

Such a reduction in administrative and support staff is potentially harmful to students, teaching staff and other school staff and the community. School safety can be compromised as fewer adults are available to provide appropriate supervision and teachers lose the backup which the onsite administrator has provided in the past.



Principals of an amalgamated school have less time to ensure effective operation of the school, to adequately evaluate staff, oversee program delivery and to liaise with parents and the broader communities that they serve. These cuts will affect the classroom, and the government should abandon its mantra that cuts to education can continue to take place outside the classroom. Even when you're reducing administration costs, what your effect in this version is doing is affecting the classroom because of the support that's not there to those teachers and those students.

In order to meet its goal of a 0% tax increase this year, the Lakehead Board of Education will reduce its staff complement by approximately 135 full-time equivalent positions, of which 51 will be elementary teachers and about 38 secondary school teachers. Coupled with the agreed-to reductions for the next year, the 1997-98 year, the elementary teaching staff will be reduced by almost 13%, and of course, the majority really will come from the classroom and that will affect the classroom.

**Mr Green:** Junior kindergarten is a very grave concern of ours. Bill 34 will make junior kindergarten optional, which in the eyes of many boards means ending the program, as it is an easy way to deal with the reduced funding. The government proceeded with this initiative despite the evidence that has proven that early education programs are essential preparation for students entering primary education. A draft report of the Ministry of Education and Training clearly indicates that the ministry is well aware of the importance of these programs, and to quote from the ministry report of November 3:

"Research consistently indicates that high-quality early childhood education experiences are important for later achievement, especially for disadvantaged children. It further indicates that academic gains are higher when early childhood education programs provide a stable, consistent environment, have well-planned curriculum led by highly trained professionals, promote high levels of interaction between adults and children, and have high levels of parent involvement."

That describes the program we ran this year.

Regardless of having the knowledge that junior kindergarten is an important program, the government has continued with actions that will lead to the elimination of the program in most, if not all, boards. In its haste to cut expenditures, the government neglected to consider the effects on children. Junior kindergarten provides the foundation for future academic growth. One very important function of junior kindergarten is to give teachers and educational support personnel the opportunity to identify children with behavioural and learning problems at an early age. Without junior kindergarten, it will become increasingly difficult to identify in a timely fashion children who are at risk. The longer these children remain unidentified, the less likely and the more expensive remedial programming becomes.

Teachers with the Lakehead Board of Education have made dramatic changes in staffing formulas to save the junior kindergarten program. Class sizes will rise in every division in order to free enough staff to operate the junior kindergarten program, albeit with much larger class sizes also. We expect both junior and senior kindergarten

classes to operate only with 25 or more students in each class. Most classes in grades 1 through 8 will operate with more than 30 students and many will operate with more than 40. We have no fat to trim; every cut made by the board will hurt kids.

We recommend that section 6 of Bill 34, which makes junior kindergarten an optional program, be deleted and that junior kindergarten be returned as a mandatory program that will ensure that all children in Ontario, especially those who are at risk, have access to the program.

We also recommend that school boards continue to employ only qualified teachers in junior kindergarten classes and that the government abandon any consideration of differentiated staffing for this program.

Another item of concern is the teacher sick leave. Section 10 of Bill 34 repeals the provision of the Education Act which establishes the annual sick leave provision for teachers and leaves the issue to be negotiated between teachers and their employing school board. The proposal to remove sick leave provisions for teachers is not made because there has been abuse of this benefit on the part of teachers or because teachers have an unreasonable entitlement.

Unlike most occupational groups, except for health care providers, teachers are constantly at risk of contracting any and every flu bug and cold. Children are sent to school when they are not well or in their most contagious state, leaving us constantly susceptible and at risk of infection. The common cold may not require a lengthy recuperation time, but the average teacher suffers from more than one of them each school year. Ontario's teachers are an aging lot and under unprecedented pressures from numerous sources. They are finding themselves with more serious illnesses and in need of surgical procedures in greater number than ever before, with weeks of recuperation time frequently necessary.

Teachers' sick leave has become an issue because most school boards have failed to appropriately fund the benefit. Teachers have generally paid for the sick leave provisions by accepting reduced compensation packages over the years. Boards were happy to defer compensation to some future date. To facilitate a reduction in transfer payments, the province is attempting to allow school boards to renege on longstanding promises by giving school boards the right to charge teachers for a benefit for which they have already paid.

We recommend that section 10 of Bill 34 be deleted and sick leave for teachers be continued according to the current provisions of the Education Act.

**Mr Holloway:** The area of adult education is one that concerns OSTF. The changes to adult education proposed in Bill 34 are far-reaching and overwhelmingly negative. If we are to compete effectively in the global economy, our citizens must have reasonable access to all levels of education. Individuals who for one reason or another have yet to complete a high school education will be severely handicapped by the proposed legislation.

The adult education programs in our Ontario public secondary schools are a great success story. The completion of the secondary school graduation diploma marks a level of achievement that's expected and demanded by

our employers. Our students, who are our citizens of tomorrow, need the opportunity to complete their learning without restrictions governed by funding mechanisms which will tend to exclude adults from attendance in secondary programs. The achievement of completing the requirements leading up to a secondary diploma cannot be replaced by completion of a variety of interest courses that may be held by non-regulated agencies.

Public secondary schools offer trained professional staff and utilize an existing infrastructure in a local community setting — locally, right here — to provide the opportunity for adults to complete their educational requirements.

**0950**

The reduced funding being proposed will put school boards into an impossible predicament of using a much-reduced grant to pay for adult education on a continuing ed basis. This will probably shift the responsibility to the local taxpayer to fund adult programs. In Thunder Bay even using funding on a continuing ed basis has put the whole continuing ed and adult program in jeopardy.

As an example, in Thunder Bay we have two versions of training adults. One is the adult education regular secondary schools and one is a continuing ed program. The adult education part has been cancelled. There have been business courses for adults 21 years old and over. Those classes have been cancelled and those teachers now have been reassigned — and therefore there are teachers out of work because of that — because of the reduced funding.

On the other side, the continuing ed program, there has been a need expressed by the board for that program to break even or to become a profit centre. This has put extreme pressure on the workers to find ways to get revenues to continue to fund that program. That's in jeopardy. The results of the legislation have put all the programs for adults in Thunder Bay in jeopardy.

We believe adults should not be denied access to education due to funding on an age basis. This would appear to be a human rights issue. Ontario should have an education system that does not discriminate on the basis of age.

We recommend that the government restate Ontario's commitment to lifelong learning and equality of educational opportunity.

We recommend that the Education Act be amended to include adult education as a mandatory program with funding at the same level as regular credit programs.

We recommend that the government end its discrimination against adult students by removing from Bill 34 and the regulations all those sections that have the effect of lowering adult program funding from regular grant to continuing education levels. That is discriminatory.

The next section is the effect on negative grant boards. Bill 34 allows the provincial government to access and manipulate locally raised tax dollars as part of the cuts in transfer payments to school boards. Property taxes are collected on the demand of local rather than provincial politicians. Forcing locally raised tax dollars to be turned over to the provincial general revenue fund violates the principle of accountability our democratic system requires. We feel this is a back-door educational finance

reform movement, and it's unacceptable. We agree there is a definite need for educational finance reform, but the version that you're proposing is inappropriate and unjustified.

We recommend that the government abandon its "cuts at any cost" program and seriously investigate and implement a rational education finance reform package.

**Mr Green:** In conclusion, the government appears determined to provide a tax cut for those who need it least, regardless of the impact on those least able to defend themselves. This current round of cuts to education will impact severely and immediately those children who need assistance to start their education on a decent footing, and in the near future all the children of those of limited or modest means. Eventually, Ontario will suffer as its ability to compete in the global economy diminishes.

It is obvious that the government hopes to force teachers to pay for the cuts through reductions in wages and benefits and increases in class size and workloads. It will not work. Teachers are already spending more time marking, preparing, counselling, planning etc than ever before. The increasing diversity within our classrooms requires more teacher intervention at a time when the teacher resources are being reduced.

This is a most cynical piece of legislation designed to steal educational opportunities from the most defenceless segments of our society. The government's attack on teachers is just another case of misdirection to gain public support for government cuts to public services.

If this government truly cared about the people of Ontario, it would consider the long-term effects of this legislation and realize how much it will impact negatively on our schools and our children.

**Mrs McLeod:** To lead off, you've touched on the numbers of teachers who are going to be laid off as a result of this round of cuts. I think you indicated 13% of elementary school teachers over two years; I'm not sure what the percentage would be of secondary school staff. I think you're also well aware that the Minister of Education has talked about cuts to education that would be much greater than what we have already experienced. He's repeatedly used the figure of \$1 billion or \$1.2 billion that he believes can be saved, to use that term, in education.

One of the tools that's not in Bill 34 but had certainly been talked about to achieve those cuts was preparation time. I wonder whether or not you've any sense of numbers of staff layoffs, teacher layoffs that might have occurred if that preparation time tool had been offered, and how far up the seniority list we're going in elementary and secondary schools with teacher layoffs, or might be going.

**Mr Holloway:** In secondary, my guess would be 20% of the staff. This year we're already looking at teachers who have worked for six years not having any job, as it stands right now, for next year. You add on that the 20% of the staff, which would be close to 80 teachers, and you would be getting that those with, I expect, 10 to 12 years of working for the Lakehead board would not be working — a rough guess — in secondary.



**Mr Green:** In elementary, we'd lose another 10% approximately of our teachers if preparation time were removed. At this point in time, we haven't finished our process, so I can't give you the exact number, but to fit people for work it's been necessary to declare people from 1979, I believe, or 1980, depending on their program, surplus to their schools, to try to bring them back. Our guess? Probably by next Wednesday we'll have the program done and about 100 teachers will be without placements. The board will then terminate their contract at a board meeting. That's out of 585, I believe, full-time equivalent teachers.

**Mr Michael Gravelle (Port Arthur):** That of course is based on the cuts that are in place now, let alone what may come down the line, which we're very frightened about. One of the most preposterous myths that continues to be spouted by the minister is the fact that this is not going to affect the classroom in a specific sense. Certainly a lot of groups addressed that. You address it in a real manner as well and I'm hoping you can even amplify it. In terms of what's happened now, it's clear how it's affected the classroom. I know that later in the day we're going to have presentations from some people who are very personally affected in terms of special-needs children and that sort of thing. But I think there needs to be more of an awareness of exactly what it means, especially if further cuts are in place, how it will affect the classroom.

**Mr Green:** In our system already, the program or assessor people, the ones who work with the teachers to provide programs for students who have special needs, have been reduced by about 75%.

**Mr Gravelle:** Which means?

**Mr Green:** There were approximately 20 people for the system, and there will be about five now. There are various job descriptions in it. What it means now is that students who would have been identified and for whom special programs would have been developed will have to wait or not receive any assistance at all and will be lost. The loss to the system will be the loss to the province.

**Mr Wildman:** I appreciate your candour in terms of the effects on teachers and students of the 16% cut in the GLGs, general legislative grants, by the provincial government. As my colleague Mr Gravelle said, the minister has repeatedly said that these cuts can be achieved without hurting classroom education, that classroom education should be exempt, and yet you've outlined effects in class size of these cuts.

You refer to this as a cynical piece of legislation. Wouldn't it be more honest for the government to say, "Look, we want to save money in education and therefore we're going to make cuts that will affect classrooms, increase class sizes and affect the education of kids in the classroom"? Wouldn't that be a more honest approach?

**Mr Holloway:** We would hope the government would be honest with the citizens. They are elected to govern and they are elected to be honest with the citizens. If they were to come up front and say, "We know it's going to affect the classroom. This is what we're going to do," at least then we'd know that they understand what their cuts are doing. As it stands now, they haven't told us the whole story, yet here in Thunder Bay we see classes

affected and we're looking for some answers from the government.

**1000**

**Mr Green:** I would see that there are two possibilities: either the government doesn't have a clue about education and doesn't know what's happening or they may not know what the truth is.

**Mr Wildman:** The minister has agreed with your figure that on an annualized basis the cuts mean an \$800-million cut, and it may be as high as \$1 billion when we see all of the cuts. He has welcomed that. He has said that if we get more than \$800 million, then that's good. He's also said there'll be further cuts next year. You've talked about what is happening in this board this year. Will it be possible to ensure that special needs students particularly, who have been integrated into the classroom, will get the kinds of services they require in order to be able to achieve to their potential if we see further cuts?

**Mr Green:** At this point in time, I see that we're following a program of integration, but if the cuts come, it will rapidly become a program of abandonment. These students will be dumped into regular classrooms with no support and will be lost.

**Mr Wildman:** The final question I have is in regard to adult education. You touched very briefly on the human rights issue. Are you saying that by saying that a student four years over 16 should not be in the regular day classroom program — or at least the funding won't be there for it — that in fact is a violation of human rights and is discrimination on the basis of age?

**Mr Holloway:** I would argue that if I were a lawyer. I think anyone who is slightly older than age 21 should have the opportunity to take a school process that everyone else has the opportunity to take. Going to school and getting your secondary graduation diploma is a fundamental belief that we have that should be available no matter what your age is and it is discriminatory to prevent someone on the basis of funding from getting that.

**The Vice-Chair:** I have four speakers on the government side and three minutes. If some of you want to join the other side, you're welcome to.

**Mr Toni Skarica (Wentworth North):** Two quick points. On page 6 of your brief you say that teachers have "more serious illnesses and in need of surgical procedures in greater number than ever before, with weeks of recuperation time frequently necessary." We've heard from the OSSTF in a number of other cities and they gave us statistics that teachers do not abuse the sick leave provisions, which I accept, and that for men, they take, on average, four to five days off for sick leave, and for women, nine days. So I have some problem with the statement that you make there. It seems to me there's some room for negotiation there.

I want to talk about accumulated sick leave, the retirement gratuity. Here in this jurisdiction it's somewhere in the area of \$30,000 to \$35,000 for every retiring teacher. That's money that does not go to children, that does not go into the classroom. We heard in Windsor that the unfunded liability province-wide for this gratuity is approximately \$10 billion. We also heard from a number of teachers' federations that they would go on strike if

this is now made a negotiable item and would not budge on that. They would go on strike rather than budge.

I'd like to know from you, what's your position if it becomes a negotiable item? To make it clear, the accumulated sick leave up to this point would not be cut back. It's further accumulation that would be subject to negotiation. What's your position on that area, considering that Lakehead, for example, is one of those boards that has no reserve at all and has an unfunded liability in the millions of dollars?

**Mr Holloway:** I want to talk a little bit about the illness situation. For people in a cancer situation or for heart surgery, open-heart surgery, we've had a number of teachers, and if you're not allowed to have that 20 days a year built up, then after 100 or 180 days, you may not have any salary. Our point is, teachers don't abuse the system of sick leave, but they do need that long term. More people are getting into that major surgery. So that clarifies our position on that. It's not a contradiction.

**Mr Green:** I would say that when you're talking averages, it's like one hand in a bucket of ice water and the other hand in a bucket of boiling water — on the average, you're comfortable. We're not dealing with the average here; we're dealing with individual teachers. Many teachers take no days off a year. Would we take sick leave away from them all? Some teachers require a great many. On the average, we don't abuse the usage. People take only what they need.

When you talk about this unfunded liability, isn't it the same as when you went and bought your home and got a mortgage from the bank? It was a five-year, but amortized over 25. At the end of five years, you're not going to the bank and saying, "Well, guys, I paid for five; I'm not happy with how much I paid you, so forget about what I owe you." The bank wants the money. In this particular case, the school boards took a mortgage out with the teachers. The mortgage is now due; some of us would like to see it paid.

**Mr Preston:** Very briefly, no long-term income disability?

**Mr Green:** Certainly we pay for our own long-term disability after 120 days. I don't believe that, because we've done that and we pay 100% for it, the school board should receive a saving.

**Mr Preston:** It's odd that two days in a row we've seen that junior kindergarten has been taken out because it's an easy way to deal with the problem. When you say it's an easy way to deal with the problem, it suggests there are other ways but they're more difficult. I'm suggesting — and I want your views on this — that the easy way is a window to allow the high-grid teachers out and allow room for the low-grid teachers to come in. I want your opinion on that.

ECE starts at about six months, with eye contact, recognition, coordination. At which point do you think some form of government should fund it?

**Mr Holloway:** Let me talk about the early retirement. It is our understanding that that was one of the proposals the teachers made for having an early retirement window. Of the meetings that were scheduled, the government side cancelled five out of 10 of the meetings to discuss early

retirement windows. We were anxious to talk about that, but the government side was not.

**Mr Preston:** You are in favour of an early retirement window?

**Mr Holloway:** One of our 11 priorities was having that.

**Mr Preston:** Okay, that's good. That's what I wanted to find out.

**The Vice-Chair:** A very short one, Mr Pettit — 20 seconds.

**Mr Trevor Pettit (Hamilton Mountain):** A beautiful day to be in Thunder Bay, I must say.

I'm just curious. You seem to be vehemently opposed to differentiated staffing. We've had other presenters indicate to us that holders of ECE certificates are more than qualified to look after four-year-olds. I'm just wondering why you're so vehemently opposed to differentiated staffing.

**Mr Green:** I guess the question is, do we want to look after them or do we want to prepare them for their future education? Early childhood educators can certainly provide a warm, nurturing environment, but they are not trained to provide for the educational needs that are going to prepare a student for the future.

**The Vice-Chair:** Thank you very much, gentlemen, for your presentation. We appreciate it.

#### LAKEHEAD BOARD OF EDUCATION

**The Vice-Chair:** Next we have the Lakehead Board of Education: Dr Linda Rydholm, the chair; Suzan Labine, the vice-chair; and Jim McCuaig, the director of education. Good morning. Again, you have 30 minutes for your presentation, which includes any questions and comments there may be. Could you identify yourselves as you're speaking for Hansard purposes.

**Dr Linda Rydholm:** Good morning. I'm Dr Linda Rydholm, chair of the board. With me are Mrs Suzan Labine, our vice-chair, and Mr Jim McCuaig, our director. We represent the Lakehead Board of Education, the local public school board. We have about 43 schools, 16,500 students, about 1,800 staff. This year our budget is \$118 million.

Bill 34, An Act to amend the Education Act, refers to five different amendments. We will make some observations regarding each one of them and how they relate to our public school board in Thunder Bay.

(1) School boards will no longer be required to operate junior kindergarten.

There has been considerable controversy over the merit and the cost of junior kindergarten for many years. Until recently it was given 80% provincial funding and virtually all boards carried it. However, during the budget process this spring, many school boards across the province chose to cancel JK. Cancellation of junior kindergarten was considered a fiscal necessity.

The Lakehead Board of Education was in a similar situation here in Thunder Bay. Administration brought to the trustees a budget that included cancellation of JK for the fall of 1996. However, the elementary teachers decided that the program was important enough to maintain. Through the bargaining process, they initiated



sufficient savings to cover the local cost of JK. The implications are some increased class sizes and less support, therefore, to students. Despite the generally difficult bargaining times this spring, good working relations at our Lakehead Board of Education made this compromise possible. JK has been kept at no increase to the local taxpayers of Thunder Bay. In fact, our average mill rate increase this year is 0%; minus 0.8% within the city limits.

#### 1010

The future for JK is uncertain. If cancelled, provisions of some kind will have to be arranged for about 1,000 public school four-year-olds in this city. The two-year contract agreement with the elementary teachers will allow for some stability and planning time around the whole issue of JK.

(2) School boards will be able to direct certain adult persons to enrol in continuing education programs rather than in day school programs. This legislative change will have minimal if any impact on the Lakehead Board of Education. The provision of continuing education on a cost-recovery basis has been the way the board has operated for many years. There has been no adult education day school program. Occasionally, adults attend regular day school if that is the only time that the program is offered, and the new legislation allows for such exceptions.

(3) School boards will be permitted to enter into agreements to cooperate with other school boards and with municipalities, hospitals, universities, colleges and other prescribed persons or organizations, for certain purposes. School boards will be required to prepare annual reports on cooperative measures taken in this way.

This provision for cooperation between school boards and other publicly funded bodies will give encouragement and guidelines for those who want to work together in a cost-effective way. Public reporting of the tax savings is a natural follow-up. Taxpayers should be pleased to read an annual cooperative measures report that lists the savings achieved by publicly funded bodies working together. There should be greater fiscal accountability achieved and reported through this legislation.

The proposed legislation states that school boards will be permitted to enter into agreements to cooperate. The word "permitted" should be replaced with a stronger word such as "mandated" or "required." Cooperation sometimes needs to be more strongly directed.

The Lakehead Board of Education has been involved in some cooperative ventures and adventures. In recent years, the board has worked more closely with the separate school board to find cost savings in transportation. Also, the two school boards have been part of a purchasing consortium, along with the local university, college, hospitals and the city. For more than six years, the purchasing consortium has saved the taxpayers millions of dollars. More cooperative agreements may happen in the future. However, it should be noted that the number of administrative positions at the board has been reduced. These cooperative ventures do take administrative time. Careful consideration will have to be made regarding the cost-effectiveness and viability of any future cooperative efforts.

(4) School boards will be authorized to make equalization payments to the Minister of Finance. Traditionally, school boards in a grant-negative position have been envied by other boards in Ontario. There has been inequity regarding educational funding and thus learning opportunities for students across this province. The inequity needs to be addressed. Education should be financed so that all students in Ontario have equal access to learning opportunities.

The Lakehead Board of Education questions the concept of equalization payments to the province. The board does not agree with provincially legislated access to any local tax base. The grant-negative boards in Toronto and Ottawa have existed for many years. The funding issue needs to be directly negotiated with those particular boards.

The Lakehead Board of Education is in a grant-positive position. About 35% of the budget this year is provided by provincial legislative grants. The whole issue of equitable funding is an important area that needs to be resolved province-wide.

(5) The provisions of the act that set out teachers' entitlement to payment in respect of absence from duty because of sickness will be repealed on August 31, 1998. Teachers' entitlement to payment in respect of absence from duty because of sickness may be addressed by collective agreement.

The retirement gratuity paid to teachers upon retirement costs considerable sums of money across the province. Retirement gratuity is usually funded on a yearly basis. Some people consider it an unfunded liability. This new legislation will allow school boards and employees to consider other alternatives during the negotiating process.

In 1996, the Lakehead Board of Education has paid an average of \$32,500, totalling \$2,071,259 in retirement gratuity — a considerable sum of money spent directly outside of the classroom. Perhaps this cost to the taxpayer could be dealt with in a better way. The amendment will provide boards and teachers greater flexibility in negotiations.

Generally speaking, Bill 34's amendments to the Education Act should help school boards to do their job better. There should be greater fiscal accountability and educational equity with the provincial government and local boards working cooperatively for public education in Toronto.

Suzan and Jim and I will be pleased to answer any questions the best we can.

**The Vice-Chair:** All right, we have 15 minutes. I have a question. I know I'm not supposed to ask questions, but this is just a factual question. Does the Lakehead Board of Education cover the same area as the Thunder Bay federations that we've heard about?

**Dr Rydholm:** The federations that just spoke, yes, although the OSSTF, the high school people, would go a little further. They were with their district or — they've done it just for locally.

**Mr Jim McCuaig:** Actually, the people spoke locally, except one of the federations also represents a group in the separate school system, non-teacher.

**The Vice-Chair:** Is your board of education the urban board basically?

**Dr Rydholm:** Yes, and rural, but we do not extend, for example, to Nipigon, Red Rock or to Schreiber or Atikokan.

**Mrs Suzan Labine:** The townships.

**Dr Rydholm:** Those are different places.

**The Vice-Chair:** I understand.

**Dr Rydholm:** We're talking about the local city and surrounding townships.

**The Vice-Chair:** Thank you very much. This time we start off with the NDP.

**Mr Wildman:** Thank you for your presentation. I think at the end you made a slip of the tongue when you said "public education in Toronto."

**Dr Rydholm:** Oh, I'm sorry. Yes, "in Ontario." Good to the end.

**Mr Wildman:** Having pointed that out, I would like to deal for a moment with the equalization payment proposal in the bill. You recognize that in this legislation there is no requirement to designate funds.

**Dr Rydholm:** It says "may."

**Mr Wildman:** So if Ottawa and Toronto were to enter into an agreement to transfer property tax revenue to the consolidated revenue fund of Ontario, there is no guarantee that it will be used for education. It could be used for roads or health care or social services, or whatever, depending on the priorities of the government and the Minister of Finance. I recognize your concern about the province having access to local property taxes raised locally, but there's also the other concern that if the government does in fact get some of those funds, there's no requirement that they be used for education.

**Dr Rydholm:** That's interesting. Of course we are concentrating on education because that's the system we're in and representing, and you are looking at a larger picture.

**Mr Wildman:** That's why I wanted to point it out to you. This doesn't necessarily benefit education in other areas.

**Dr Rydholm:** Although if Toronto has less money to spend, they cannot continue to give certain learning opportunities that the rest of us cannot afford. I think that's what we're trying to get at with this address this morning, which is that because —

**Mr Wildman:** Surely that then affects education in Toronto.

**Dr Rydholm:** But it provides inequity in education, which is the point we were making, that some poorer boards have not had.

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**Mr Wildman:** Then the question is, do you achieve equity by a lower common denominator or a higher one?

**Dr Rydholm:** That is a good question. However, that is probably why this government, and past governments too, have been looking at this whole issue of trying to make education more fair and equitable finance-wise and learning-opportunity-wise. The answers have not fully come out. They certainly didn't come out with the last government and they aren't out yet with this one.

**Mr Wildman:** You said you're not in favour of the government having access to locally raised property

taxes. You would also not be, surely, in favour of — if the government did gain access to those, to have them redirected to social services or health care.

**Mrs Labine:** I think I'd like to make a comment on that. I would agree with you that the property tax is probably originally allocated for education.

**Mr Wildman:** Yes.

**Mrs Labine:** To reallocate that money to another area away from education would be unacceptable, in my view. Those dollars were raised and the people were taxed for education and that money should stay in education.

**Mr Wildman:** There is no provision in this legislation to require that.

**Dr Rydholm:** Personally, I can answer. Speaking as chair of the board, I would have to think a little bit more on giving the answer to your question earlier; however, I think at this time in the province we're looking for money saving anywhere we can get it and then distributing it as best we can.

**Mr Wildman:** But the problem is, this is then proposing —

**Dr Rydholm:** We don't know for sure how that money will be used.

**Mr Wildman:** That's right.

**Dr Rydholm:** However, one would hope that you and others would be watching over that and that we'll be using it well.

**Mr Wildman:** That's exactly why I'm raising that.

**Dr Rydholm:** Okay. So do that.

**Mr Wildman:** But the problem is, surely you would not be in favour of raising property taxes to fund health care.

**Dr Rydholm:** I don't know; I'm a doctor.

**Mr Wildman:** That's exactly why I raised it.

**The Vice-Chair:** We'll have to leave it at that, Mr Wildman.

**Mr Wildman:** Just one other quick question.

**The Vice-Chair:** Very quick.

**Mr Wildman:** In terms of junior kindergarten, the government has said that it will review the program. Have you had any contact from the ministry of any kind with regard to a review of the junior kindergarten program?

**Mr McCuaig:** Not yet.

**Mr Steve Gilchrist (Scarborough East):** I'd like to deal with the myth of that section of the bill, the equalization payment, first off by directing my colleagues opposite to be reminded that the words say "may make a payment." No one is being forced to do anything.

Let me make one other point. We already have pooling here in the Lakehead area. I have no doubt that the poorer townships, which have a lower assessment base, are deriving a benefit from the assessment in the urban core. The same is true in Metro Toronto; in fact, let me give you a statistic. Scarborough — where Mr Newman and I come from, and Mr Brown — by participating as part of the Metro Toronto board, gets \$175 million more every year than the Scarborough taxpayers pay. So already the city of Toronto and the city of North York are pooling their resources and the cities of Scarborough, Etobicoke, York and East York are deriving a benefit that



one would argue is not appropriate. Yet somehow the status quo is acceptable.

I remind everyone as well that under the social contract the previous government forced the Metro school board to give up \$66-million worth of services that it pooled with the separate school board. So the concept of ensuring a level playing field already exists and we have a commitment to make sure that every student in this province has an equal access to a quality education, and that is not the case today, based on the way education is funded.

I guess the other point that is very important to make, and I'd appreciate your response, is that at no point have we said anybody's going to write a cheque for anything. This would be a bookkeeping entry. By next year, Metro Toronto will be grant positive, so, to pick a number, if \$13 million is what they should have been tightening their belt this year to match what Lakehead and every other school board in this province was asked to do as part of the belt-tightening for all of our transfer partners — but they get off the hook if nobody asks them to do a similar exercise. But if they're grant positive next year, we simply reduce the grant by \$13 million to them next year.

If it's nothing more than an internal accounting entry, the money never leaves Ottawa or never leaves Metro Toronto, it merely offsets future grants and it merely makes them have to do what every other school board is very responsibly doing across this province, would you then have any concerns at all with the option for Metro and Ottawa to share their portion of the transfer reduction?

**Dr Rydholm:** The way you've described it certainly makes good sense to me, and it happens, as you explained, on a similar basis in other areas throughout the province. For example, our taxpayers within the city pay a lot more than our taxpayers with the same sort of house just outside the city limits. Hopefully this will work and will be more fair for the folks down in Toronto, as it is, I think, for us here in Thunder Bay.

**Mr Gilchrist:** If there's no one else, one little quick question about junior kindergarten. How many boards in northwestern Ontario had junior kindergarten before the previous government made it mandatory?

**Dr Rydholm:** Junior kindergarten has been in the northwest a long time, 20 years, in pretty well all of them.

**Mr Gilchrist:** All of the boards in the north had it?

**Mr McCuaig:** That's my understanding, yes.

**Mr Skarica:** As you know, the cuts to the various boards ended up being less than 2% of their entire budgets, and what we were hopeful for as a government was that the savings would be done in such a way as not to impact on the classroom. In fact one of the boards where I'm from, the Roman Catholic board — we heard yesterday that the administrators, the teachers, the maintenance people all took a slight cut in their benefits, in their pay package, and as a result the impact on the classroom did not take place.

We've heard that's taken place somewhat in the Lakehead board with JK, and the first presenters said major concessions were made. Could you tell us what

major concessions were made or what concessions were made by the teacher group?

**Dr Rydholm:** For the first year of the contract, concessions worth about \$1.3 million were made. For the second year, it'll be over \$3 million. We have always at the Lakehead board maintained low PTRs, pupil-teacher ratios, especially at the lower grades. Starting this September, our class size in kindergarten will go from 20 to 25 students per class. We will be still maintaining low classes in grades 1 and 2. Grades 1 and 2 will remain unchanged at 20. Grades 3 to 8 will go from the present 29 to 30 per class.

Some people might say that's a huge change. Certainly the kindergarten teachers are going to experience a change from 20 to 25. However, it should also be pointed out that our coterminous board, the separate board, has been operating at 31 for years, from JK right up to the end of high school. So we're still going to be maintaining a lower PTR at our public school board.

**Mr Skarica:** Were there any salary or benefit concessions made, or anything of that kind?

**Dr Rydholm:** No salary or benefit concessions made. The health care benefits of about \$6,000 or so per package will be maintained. The average salary of \$66,000 will be maintained. The ed leave money will be gone for two years, the professional development money for two years. In the second year of the contract, 25 elementary teacher-librarians will no longer be designated and paid as teachers. There will be some sort of library technician personnel in there at, we hope, half the salary or less. Those are the sorts of compromises we came to in order to maintain junior kindergarten.

**Mrs McLeod:** If I ask a rather provocative question, you'll appreciate the fact that it's because I'm concerned about what's happening, just based on your response in terms of the concessions that were made which affect classroom education in the Lakehead board. I know that the grant reduction for 1996 for the Lakehead board is in the area of \$4 million. In order to cope with that without losing junior kindergarten and without raising property taxes, there have been some very real compromises in terms of class sizes and cuts in special education.

It might be most appropriate, since this is a provocative question, to direct it to the director of education, if the chairman doesn't mind. The question I want to ask is, why were you not able to cope with these cuts by just making the administrative changes that the Minister of Education says you should be able to make? The second question is, where do you go if you have to make more cuts?

**Mr McCuaig:** First of all, I think it should be put into perspective. One of our concerns with the cuts is that we've already had five years of our own initiated cuts. I think it's clear to say that if we use the Ontario School Board Reduction Task Force report as a benchmark, which the government appears to be, with the assumption that central bargaining will take place, the assumption that curriculum will develop provincially, the assumption that assessment will be done centrally and the assumption that any new programs initiated by the government will be paid for by the government, as well as a College of Teachers that will be involved in some discipline, all

those functions that are now done locally, even with those assumptions not in place, by September 1996 we are already at the outside-of-the-classroom level of staffing of the school board reduction task force. The school board reduction task force suggests that by 1998, assuming all those things are in place, we should reduce our budget by \$6.3 million; we have reduced our budget already by \$6.4 million.

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If you ask me where we're going to go, I don't know. We've already gone to the classroom; I don't think there's any question we've gone to the classroom. We have done massive school closures; four this year, plus two amalgamated. I can tell you there are several more in the plans for next year. I don't know other ways without hurting the classroom. I'm not suggesting we shouldn't be cutting, I'm not trying to whine here, but I am saying to you that we have been in an efficiency move for several years.

**Mr Patten:** Your presentation, Doctor, is quite distinctive. This is the first board I've heard of that makes the comment that this bill should help school boards do their job better because, in effect, what it's doing is taking away resources from every board. Every report we've had from any school board has said that they've increased class sizes, they've had to cut certain programs, they've lost teachers, they've lost resources — your director of education just made that comment. Therefore, I find it astounding. In which way would school boards be able to do a better job given that kind of impact?

**Dr Rydholm:** You know where most of the money is, sir.

**Mr Patten:** Pardon?

**Dr Rydholm:** You know where most of the money is spent in education.

**Mr Patten:** Where?

**Dr Rydholm:** Contracts. Is there another question?

**Mr Patten:** I see that your board has not had really a fully developed adult education program. Does that mean other boards have picked up that responsibility, or it's elsewhere in the community, or you don't have any people who need it?

**Dr Rydholm:** Our continuing education is very extensive; it has been for years. We have thousands of students who go through it every year. I can't speak for the separate board. You can ask them later.

**Mr Patten:** I'm trying to distinguish between adult education, which is really a full-time day program — you don't have that?

**Dr Rydholm:** We haven't had the need or had it run. Also, remember we have a local college that does considerable upgrading and is sort of in competition with us. Over the years we've traded off who would do what. The local college achieved some of that job for us.

**The Vice-Chair:** Thank you for your presentation, all of you.

#### LAKEHEAD DISTRICT ROMAN CATHOLIC SEPARATE SCHOOL BOARD

**The Vice-Chair:** Next we have the Lakehead Roman Catholic Separate School Board: Joleene Kemp, board

chair; Kevin Debnam, director of education; and Susan Soldan, superintendent of business. Welcome to our hearings.

**Mrs Joleene Kemp:** My name is Joleene Kemp and I'm the chairperson of the Lakehead District Roman Catholic Separate School Board. On my right is Kevin Debnam, who is the director of education for our school board, and on my left is our superintendent of business, Susan Soldan. We thank you for the opportunity this morning.

We accept responsibility for children who sneak Popsicles before supper, who erase holes in math workbooks, who can never find their shoes.

**Mr Kevin Debnam:** We accept responsibility for those who stare at photographers from behind barbed wire, who can't bound down the street in a new pair of sneakers, who never played hide and seek after dark, who were born in places we wouldn't be caught dead in, who never go to the circus and who live, in effect, in an X-rated world.

**Ms Susan Soldan:** We accept responsibility for children who bring us sticky kisses and fistfuls of dandelions, who hug us in a hurry and forget their lunch money.

**Mrs Kemp:** We also accept responsibility for those who never get dessert, who have no safe blanket to drag behind them, who watch their parents watch them die, who can't find any bread to steal, who don't have any rooms to clean up, whose pictures aren't on anybody's dresser and whose monsters are real.

**Mr Debnam:** We accept responsibility for children who spend all their allowance before Tuesday, who throw tantrums in grocery stores and pick at their food, who like ghost stories, who shove dirty clothes under the bed and never rinse out the tub, who get visits from the tooth fairy, who don't like to be kissed in front of the car pool, who squirm in church or temple and scream in the phone, whose tears we sometimes laugh at and whose smiles can make us cry.

**Ms Soldan:** We accept responsibility for those whose nightmares come in the daytime, who will eat anything, who have never seen a dentist, who aren't spoiled by anybody, who go to bed hungry and cry themselves to sleep, who live and move but have no being.

**Mrs Kemp:** We accept responsibility for children who want to be carried and for those who must, for those we never give up on and for those who don't get a second chance, for those who smother and for those who grab the hand of anyone kind enough to offer it.

Our presentation is really what we are all about. We are a system united. The Lakehead District Roman Catholic Separate School Board is here this morning as an advocate for the 9,000 students it serves.

At the outset we would like to say that the board appreciates the opportunity to appear before the standing committee on social development to discuss issues that directly affect the students in our schools. As a Catholic-based organization, collaboration, consultation and cooperation form the very fabric of who we are as a people of God and the manner in which we function as an organization. We applaud the government's commitment to consulting directly with those affected by the



change and trust that our concerns will be heard and, above all, carefully considered and reflected in subsequent decisions.

Our comments on Bill 34 are selective in nature. We as a board have chosen to make public statements on three issues that directly affect the quality of Catholic education in our schools and, accordingly, the children in our classrooms. The issues are: equalization payments to the Minister of Finance, cooperative agreements and junior kindergarten.

**Ms Soldan:** I'll begin with the equalization payments to the Minister of Finance. The board acknowledges that we are living in difficult economic times. Accordingly, we have planned effectively over the past three years to deal with the impact of shrinking revenues. We have restructured and streamlined our school system to ensure cost-effectiveness and to maintain quality programs. We've absorbed the following reductions and done so with creativity, prudence and an unshakeable commitment to our staff and students: the 1993 social contract, \$1.69 million; the 1993 expenditure control plan, \$410,000; the 1995 mid-year adjustment to the per-pupil grant, which affected us, \$60,000; and the 1996 savings strategy, \$1.6 million. Over that three-year period, \$3.76 million impacted our board.

These reductions in provincial funding equate to about 6% of our 1995 operating expenditure of \$62.4 million, or 11% of our 1995 general legislative grants of \$32.2 million. We recognize that more cuts are on the horizon for 1997. It is our belief that these future reductions will have a dramatic and unprecedented negative impact on our students.

Fairness and justice require that these reductions apply to all boards and particularly those that are in rich assessment areas. Unfortunately, it is assessment-poor boards such as ours that are penalized. Had an assessment-rich board that receives little or no provincial funding cut \$3.76 million from its budget, most or all of the savings would have been returned to the local ratepayer by way of reduced mill rates. In times of restraint it is more likely that these boards would have frozen their mill rates and not reduced them, and not even taken the \$3.76 million from their budget. But our ratepayers saw significant cuts in service and no reduction in their mill rate. Where's the fairness?

However, we applaud the Ministry of Education and Training for providing financial relief to school boards in the province with student enrolment under 10,000. This measure provided our board with approximately \$400,000, which equates to a 1.76% increase in our local mill rate, and greatly assisted our board in meeting a commitment to freeze the local mill rate. Although the board was able to prepare a balanced 1996 budget, which we finalized Tuesday night, it was not done without sacrificing programs and services.

Inequities arise because the provincially recognized cost of education for grant purposes is too low and does not reflect the real costs of providing education programs and services. Almost all boards spend above the recognized ceiling and fund these expenditures from local taxation. Assessment-poor boards such as ours must place a heavier burden on our residential ratepayers to raise the

same revenue. For example, for every \$1 of local residential taxation our board raises, our coterminous public board raises \$1.55 and Metro Toronto board of education raises \$3.39; and for every \$1 of local commercial and industrial taxation we are able to raise, the coterminous public board raises \$1.81 and Metro Toronto board of education raises \$4.46. These figures I'm quoting are taken from the total wealth index which was contained in a document provided by the Ministry of Education and Training, based on 1994 taxation figures. The choice of boards, for your information, is to show you that there is a disparity.

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If non-residential assessment in Ontario was equitably distributed among all boards in the province, some of the issues regarding the wide ranges of assessment wealth could be addressed. In addition, there would be no issue of negative grants, that is, where boards generate local taxes in excess of the provincial expenditure ceilings by applying the provincial standard mill rate. The proposed legislation allowing negative grant boards to make payments to the province does not give the province the authority to collect such payments. As a result, these boards do not accept their fair share of expenditure reductions.

Therefore, this board recommends that Bill 34 be amended to authorize the province to collect negative grants and negative grant boards' fair share of the \$400-million savings strategy.

We also recommend that the government proceed without delay with provincial pooling of all non-residential assessment as a component of education finance reform.

**Mr Debnam:** My comments are generally in the area of junior kindergarten, an area you've heard about time and time again this morning. Actually, this underpins much of what has already been said, so I trust you'll bear with me for a few moments while we bring our case forward.

Junior kindergarten is an essential and integral part of our school system. We have offered the program in our schools for 25 years. It's well established, it's educationally sound and it's staffed by capable, dedicated and well-qualified educators. The value of this program to children is well documented in research. In addition, junior kindergarten makes good economic sense, an area we sometimes forget about. Allow me to elaborate briefly on the point.

The Ypsilanti Perry preschool project in support of early childhood education found that high-quality education for young children enables families and communities to improve the life chances of their children. Long-term research shows that adults who attended a high-quality early education program made greater gains in education, employment and social responsibility than similar adults who did not attend this type of program.

In addition, the project found that fewer children were classified as developmentally challenged; more children completed high school; more attended college or job training programs; more held regular jobs; more reported higher levels of job satisfaction; fewer were arrested for criminal acts; fewer needed social assistance; there were

a lower unwed birth rates; and fewer minor offences were recorded.

The project also found that these gains led to substantial economic benefits to the community. An investment in early childhood education returned \$7 for every \$1 invested. More importantly, this finding is replicated, and has been done so over the past few months by Dr Fraser Mustard, the director of the Canadian Institute on Advanced Research.

Junior kindergarten is first of all pedagogically rich, and from an economic perspective it's a sound investment. The program meets the needs of the local communities and is a solid investment in the future, something I believe we're all dedicated to for our children.

The board agrees that junior kindergarten should be optional. That's fair; that's fine with us. However, we believe that it should be funded as a category 1 grant. That should be reinstated. Recent changes in the funding from category 1 to category 3 mean that junior kindergarten is no longer funded at 100% by the province. Instead, it's funded at each board's rate of grant on recognized ordinary expenditure. This places a very heavy burden on assessment-poor boards that cannot match the dollars raised from the mill rate effort of rich assessment boards.

Accordingly, the Lakehead District Roman Catholic School Board recommends that junior kindergarten be recognized as an essential and integral part of the education system and that funding for it be restored to the category 1 grant level.

**Mrs Kemp:** The Lakehead District Roman Catholic Separate School Board fully supports the provisions of Bill 34 that enable school boards to enter into cooperative agreements with other school boards, municipalities, hospitals, universities, colleges and other prescribed persons and organizations. As an organization, we have been involved in such partnerships for many years.

We have, for example, shared many services with our coterminous board and done so with a high degree of mutual trust and respect. We've entered into program agreements with the local community college. We have helped form and manage a municipal purchasing consortium comprising local hospitals, the city of Thunder Bay, local school boards, the college and university. And most recently, we formed a Catholic community partnership with St Joseph's General Hospital, St Joseph's Heritage and the Diocese of Thunder Bay comprising over 20 organizations under the authority of the Bishop of the Diocese of Thunder Bay. This partnership is one of the first of its kind in the province of Ontario.

We are proud of our longstanding record of innovative, positive and cost-effective community partnerships that help us better serve the children entrusted to our care. Again, we support the spirit and intent of Bill 34 related to cooperative agreements. We must, however, base our support on the following principles. Cooperative agreements must, first, ensure the preservation of the Catholic school system and its unique nature and purpose; second, be educationally beneficial to students; third, recognize and protect local needs, input and autonomy; fourth, maintain or improve program quality and level of service; and lastly, result in cost efficiencies for all parties to the agreement.

Therefore, the Lakehead District Roman Catholic Separate School Board recommends:

— That the government proceed with the full implementation of provisions in Bill 34 that enable school boards to enter into cooperative agreements with other school boards, municipalities, hospitals, universities and colleges.

— That the government ensure that the framework for the implementation of cooperative agreements recognize and protect the rights of Catholic education in this province.

**Mr Debnam:** In conclusion, we are proud of our school system and the students we serve. We have effectively and efficiently provided quality education in the community of Thunder Bay for over 111 years. Our first schools were established in Port Arthur Roman Catholic Separate School Board in 1885. We have established in Thunder Bay a reputation for academic excellence in a Christ-centred learning environment. Schools in our system say to all who enter:

"My doors are open, come in, you are safe and welcome here.

"I stand here as a public witness that quality learning, in a Christ-centred learning environment, underpins the total education of the student.

"I stand for distinctiveness in purpose and in outcomes.

"I stand for academic excellence, for self-worth and for respect.

"I am a place where each student develops his or her potential as an individual and as a contributing, responsible member of society who will think clearly, feel deeply, act wisely and justly, love tenderly, and walk humbly with his or her God."

**Mrs Kemp:** We believe the recommendations we have made this morning will help our board continue its deep and unshakable commitment to the 9,000 students we serve each day.

We thank you for your kind attention and would entertain any questions that you have at this time.

**The Vice-Chair:** We have five minutes per caucus.

**Mr Skarica:** I'd like to take you to page 3 of your presentation, and thank you very much for it. You point out just before your recommendation that this legislation does not allow negative grant boards — or the proposed legislation doesn't allow the province to order payments to be made; it's a "may" provision. You obviously want us to go further than that. Do you want us to make it a mandatory provision?

**Ms Soldan:** No. I guess what we were suggesting was that with a provincial pooling of assessment, there may not be an issue of negative grant at all, in which case you wouldn't have to deal with that. What we are suggesting is currently that is an outstanding issue.

**Mr Skarica:** Perhaps I could read you what the OSSTF says about the current provision, the "may" provision. It says, "It is a stark example of the minister exercising dictatorial powers and undermining the statutory autonomy of school boards." Could you comment on that? Do you view that provision in that light?

**Ms Soldan:** Can I say, "No comment"?

**Mr Pettit:** Thank you for your presentation. I'd like to get your views on differentiated staffing relative to JK, if you would, please.



**Mrs Kemp:** To be quite candid, we are in negotiations with our elementary and secondary teachers, and it really would be inappropriate to discuss in a public forum something that takes place within our negotiation table.

**Mr Pettit:** That kind of deletes my next question. I was going to say — Mr Skarica mentioned it again this morning, and I mentioned it yesterday — that Patrick Daly, who is now the president of the OSSTA, I guess it is, and is also a trustee in Hamilton. The Hamilton separate school board recently came to an agreement with its staff which realized them approximately \$3 million through a 5% reduction in their benefits, but I guess I can't ask you that question.

1050

**Mrs Kemp:** Thank you very much for not asking.

**Mr Pettit:** All right. I won't ask you that question.

**Mrs Kemp:** We might want to comment on the fact that we work very cooperatively with our staff and all of the employees within our system have been working very closely with us so that we are able to maintain the kind of Catholic education we have in Thunder Bay. Having said that, we would like to allow negotiations to proceed where they belong.

**Mr Pettit:** Yes. I think this was a model of cooperation in Hamilton and I hope a lot of the other boards can follow that. I'll defer now.

**The Vice-Chair:** Any questions? Mr Gilchrist, would you like to —

**Mr Gilchrist:** No.

**The Vice-Chair:** No other questions at all?

**Mrs McLeod:** I'll attempt to ask the question that Mike Gravelle was going to ask and got caught outside on the phone. I know the concern he wanted to raise, and one that we would have raised with the Lakehead board presentations as well, was around the whole area of special education. It comes back to the fact that you are being asked to cope with a significant cut in your grants. I think with the Lakehead separate board it's something in the area of \$2 million, although the adjustment may help that. Clearly, so-called tools that are actually going to enable you to achieve that level of cut in the current contract year are just not available and so you've been forced to make some cuts in areas that affect students.

I was impressed with the preamble to your brief and with one statement that you made on the very first page, in which you said that even with the adjustment measure in balancing the 1996 budget, it wasn't done without sacrificing programs and services. I wonder if you would just comment on whether or not there have been sacrifices in the area of special education and what impact that would have.

**Mr Debnam:** Mrs McLeod, thank you for that question. It was one we anticipated, so I thank you for asking it. The whole issue of direct impact on the classroom and the government's position that these cuts are not going to impact the classroom is a myth. The cuts impact the classroom. They have done so this year and they will do so in spades next year. I can't say that forcefully enough. Four hundred million dollars taken out of education in the short term that we had to actually do it was dramatic and unprecedented. Next year is going to be worse if the

government maintains a commitment to an additional \$600 million-plus.

As a result of that, we have reduced a number of programs and services that impact kids, and we will do so again next year. One of the basic principles that we espoused, and I believe it's entrenched in our introduction, is to really try and ensure that special education programs are not hurt in any way, and to a large extent we have done that this year. Mr Chair, I submit to you that next year the cuts will more directly impact children in classrooms if the government maintains its current agenda of continuing to reduce payments to school boards within the magnitude that it is currently doing.

I'd like to make one more comment in that area. It has again pitted school boards against unions, teacher federations and parents. You have placed us once again in a position where we're taking the full brunt of dealing with the reductions. There's an adage that goes, when the well starts running dry the animals around it start looking at each other differently. I will tell you categorically that is occurring in this city, and I'm sure it's occurring across the province.

**Mrs Kemp:** If I could just add, while we have in the area of special ed been fortunate enough, due to the creativity and the collaboration within our system, not to have to completely eliminate programs, we have had to reorganize, restructure and offer in a different manner. When you offer in a different manner you hurt the children, because children in special ed function on the idea of consistency, they function on knowing the individuals they're working with. These are all changing. While we are committed to offering it, we've had to change and modify, and that really does not meet the needs of the children properly within our system.

**Mr Patten:** I have two quick questions. One is, in terms of the impact in numbers on your classrooms, what's the pattern for this year and what would be your prognosis? That annualization of the cuts, by the way, is in the \$800-million range. You've flagged that for us and we've heard many school boards raise the alarm for themselves and alert the committee to it. What's the prognosis on the class sizes?

**Mr Debnam:** Our class sizes are governed of course through our collective agreements. Just to give you a sense, the PTR in the collective agreement generates a class size at the junior kindergarten level of 20 to 1, 25 to 1 at the 1 through 3 level, and then 30 to 1 overall once you get into the higher grades. We're at that. As a matter of fact, our 30-to-1 measures still are within the collective agreement. We have class sizes of 30 to 35 kids.

In terms of the overall impact, the social contract reduced our teaching staff by approximately 25. We have 350 elementary teachers and approximately 150 secondary teachers. Actually, our reductions began last September and we've put three phases of reductions through. I will tell you the majority of those reductions have been central office. We're reduced senior administrative staff, we've reduced support staff to classrooms. Anything outside of the classrooms, that's where our main focus has been. Next year, there's no other choice. We cannot

go beyond the infrastructure that we've dismantled and still maintain the distinctiveness of our organization.

We are into the deepest level of cuts and the cuts that directly impact kids in the classroom. I think that's something you're going to hear across the province, and hear it consistently. We're at that level. The government is moving too fast and it's making the cuts too deep. They have to look very carefully at that impact, and I hope they're listening to what we're saying here this morning. I don't know whether I get that sense. I have some concerns about that.

**Mr Patten:** Your point —

**The Vice-Chair:** I'm sorry, Mr Patten, your five minutes are up.

**Mr Wildman:** Thank you very much for your presentation. It contrasts with the previous one in some ways. Can we look at page 2 of your presentation, where you say, after giving the figures: "We recognize that more cuts are on the horizon for 1997. It is our belief that these future reductions will have a dramatic and unprecedented negative impact on our students." You've already talked about the impacts you've already seen, and said that it's got to affect the classroom.

I just have one factual question, and then I'd like to ask a couple of other questions. Further down on that page you mention the \$400,000. Has that been confirmed by the ministry that you will receive it?

**Ms Soldan:** Confirmed in the sense that we do our 40-page general legislative grant calculation and it's just another page that was added into it. It's some time before it's confirmed.

**Mr Wildman:** Okay, that's fine. If the government's agenda is the cuts that you've talked about, wouldn't it be more honest with the public of Ontario if they said, "Look, we have decided these cuts must be made and we recognize they will adversely affect the classroom, but that's the way it is," instead of continually repeating that boards can make these cuts without affecting the classroom?

**Mrs Kemp:** That would be a fair assumption.

**Mr Wildman:** The government continually says the 16% cuts to the general legislative grants, on average, are only 2% to 3% of the total expenditure in education and surely any institution or group of institutions should be able to make 2% to 3% cuts without affecting their core program, their classroom program. What's the matter with you guys?

**Ms Soldan:** It may be 2% across the province, and if it were 2% for every board perhaps that would be true, but given that some boards are more reliant on grants, it may affect them even more than 2%. That is one difficulty, that it does affect every organization differently and you can't make a blanket statement such as that with education. The model, in trying to be equitable, is quite complicated, and a lot of different things do happen when you apply that 2%.

**Mr Wildman:** With regard to equalization, if I understand your presentation correctly, what you're basically saying is that you want the government to proceed with education finance reform and that if we get province-wide pooling or whatever the outcome of a true education finance reform package, these questions about

equalization payments and so on will be irrelevant because there will be a pooling of the commercial and industrial assessment. I understand that, but in the current legislation, as my colleague has pointed out, is a permissive clause which says the Metro Toronto board and the Ottawa board could enter into agreements to provide transfer payments back to the consolidated revenue fund. Do you anticipate that that will assist your board or other assessment-poor boards?

**Ms Soldan:** I believe earlier you pointed out that there may not be any guarantee of where those funds are directed, in an earlier question with a previous presenter. I think it could help, but again it depends how the funds are directed. I think there's an issue of what the expectation is regarding the level of spending in every board in the province and how that's funded, their comments about the ceiling and how those funds are applied. Unless the issue is addressed of what do you spend on education, where is it spent and how much does it cost to provide that education — and I think education finance reform was attempting to address those issues. That's the bigger picture. Right now, even if that money is collected, is it clear where those funds will be directed, into what part of education?

**Mr Wildman:** At this point you don't anticipate that if agreements were reached with Ottawa and Toronto, those moneys then going into the consolidated revenue fund will further alleviate the cuts your board is facing?

**Ms Soldan:** Unless it's directed into something like the \$400,000 grant we received this year, which was more or less given to us to implement as we need it.

**Mr Wildman:** That's an interesting point. It's \$14.5 million, and maybe that's where they anticipate the money's coming from.

**The Vice-Chair:** Thank you very much for your presentation.

1100

#### ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, THUNDER BAY ELEMENTARY UNIT

**The Vice-Chair:** Next we've got the Ontario English Catholic Teachers' Association, the Thunder Bay elementary unit: Eleanor Pentick, president; Marshall Jarvis, first vice-president; and Tony Andreacchi, first vice-president, Thunder Bay unit. Welcome to our hearings.

**Ms Eleanor Pentick:** Good morning, ladies and gentlemen, and thank you very much for providing us with this opportunity to speak with you. Much of what we have to say I am sure has been heard by you previously, but we would ask your indulgence because anything we are going to say we believe is worthy of being repeated.

I'm Eleanor Pentick, the president of the Thunder Bay elementary unit, Catholic teachers. On my left we have Tony Andreacchi, first vice-president of our unit, and on my right, Marshall Jarvis, first vice-president of our provincial association.

The Thunder Bay elementary unit of the Ontario English Catholic Teachers' Association represents some 350 women and men who are employed as teachers in the



English section of the Lakehead District Roman Catholic Separate School Board. These teachers are found in the elementary panel teaching from JK to grade 8.

Approximately 5,700 children attend the 19 English elementary schools under the jurisdiction of our board. This year some 600 of those students were enrolled in JK.

As teachers in Catholic schools, we are both beneficiaries of and advocates for a tradition of social justice. Catholic social teaching has consistently spoken in favour of the poor, the marginalized and the vulnerable and proclaimed the priority of people over economic systems.

We know that the cuts in funding to education and the other measures being implemented by this government will have a devastating effect on the education system in Ontario and thus on the poor and the most vulnerable in our society, particularly the children who are entrusted to our care. Our association and our local unit are adamantly opposed to any attacks on the continuity of program and the quality of education in Ontario.

The Catholic board and its teachers were leaders 24 years ago when the JK program was initiated in Thunder Bay. Our program has been used as an example and model for many boards across Canada. This fact has always made us proud. After 24 years of successful operation it has no doubt proven its worth. To terminate this program would be a definite step backwards. Unfortunately, unless full funding is restored, our board and many others may be forced to take that backwards step.

There's a widening gap in Ontario between the children who arrive at school emotionally, physically and intellectually ready to learn and the children who come to school hampered by a lack of nurturing and stimulation, which is not necessarily their fault. The older these children are when they are first exposed to the basics of schooling, the harder it is to narrow that gap between their ability to learn and that of more fortunate students.

These children, who we say are children at risk, need early intervention to succeed in school. The Lakehead District Roman Catholic Separate School Board has such an early identification process in place and the junior kindergarten teachers are trained to identify hearing, visual, speech and social problems as well as learning problems which, once identified, can be dealt with more effectively and enable the child to become a better learner.

Junior kindergarten programs are not glorified babysitting services. Under the direction of qualified teachers, junior kindergarten children are provided with the following opportunities:

To make decisions, to solve problems and to complete tasks.

To listen, to ask questions, to talk about experiences and, I should have added, an opportunity to be heard.

To explore the world of books.

To play in organized activities which help the child to develop an understanding of the underlying skills in mathematics, science and technology.

To participate in the arts — drama, music, dance, painting, drawing, sculpture.

To develop coordination skills through planned physical activities.

To develop personal and social skills.

To develop tolerance and understanding by being in classrooms with children from many cultures and backgrounds.

Continuation of this type of junior kindergarten program by assessment-poor boards means the local ratepayers will have to pick up the shortfall or moneys will have to be taken out of other areas of the instructional budget. We see this new funding reduction to JK as a direct attack on the delivery of Catholic education in this province. The removal of full funding for the JK program does not really leave an option for many boards, particularly the small and assessment-poor boards such as ours and many others in northern Ontario.

#### 1110

The general cuts to education funding and the reduction in full support for JK programs have forced our board into such an unfortunate financial position that this September 1996 it will be implementing the following reductions in service which will affect the children in the classrooms:

The twinning of schools, with one principal in charge of two schools. We have four schools involved in that type of reduced service.

Gifted programs slashed.

Elimination of one speech pathologist.

Elimination of instrumental music program.

Elimination of replacement teachers for short-term absences of learning centre — special ed — teachers, teacher-librarians and guidance teachers.

Elimination of the grade 8 excursion to Toronto.

Reduction of school operating budgets by 10%.

Reduction in funds for plant maintenance.

Reduction in funds for professional development and curriculum development.

Elimination of the design and technology and family studies programs.

Elimination of 31 elementary teaching positions in the elementary panel — 31 jobs since 1993, 31 fewer teachers teaching the same number of students.

Reduction in the number of secretaries.

The junior kindergarten program changed to a full day on alternate days. The restoration of full funding for JK, we believe, is necessary to ensure that JK will not be added to this list in 1997.

We are not directly involved in the area of adult education; however, we do have a few comments we would like to make. We believe that adult education contributes to the breaking of the poverty cycle by educating and training the poor, and investment in adult education directly contributes to the economic growth and development of a community. Business benefits from the upgrading of the workforce and it ensures that Ontario's workforce remains productive and competitive.

Under the new continuing ed grant model, many boards simply will be unable to afford to offer programs for adult students, and those that do will not be able to offer a wide choice of courses now available to adults through the regular day school curriculum. Thus these adults, who are the most disadvantaged in the workforce, will find it difficult to improve their situation. In particular, those in small northern communities where the public

school facilities are the only educational facilities will find themselves in a hopeless situation.

I'd like to add a personal comment about adult ed. I am a product of an adult ed experience. I quit school after grade 12 some 30 years ago. My parents wanted me to go on to grade 13. I lasted two months and I was dying to get out into that world of work. I skipped a grade in elementary school, I had no difficulty learning, but I just didn't want to learn any more at that time — I was 17 years old — much to the dismay of my family, who really couldn't afford to have me at school. There were five children. My father worked at Canada Car, my mother was a full-time homemaker. We did not have money. I felt a personal responsibility at that point in my life to help my parents with the raising of the other children. I quit school.

For four years I worked as a secretary in various businesses in the community and one day I realized I wanted more and that I could contribute more. I went back to school at 21. Yes, there was a university here and yes, I could have passed and written an entrance exam and I'm sure I would have been able to go as an adult student. Why didn't I choose that route and why did I choose my former high school?

There are two reasons. The first was financial; I didn't have the money to pay tuition. The second reason, though, that I think is equally or maybe even more important is that at that point in my life I had no self-confidence as a learner. I had to be retaught to learn. When I went back to my high school, the guidance counsellor, the principal, those teachers welcomed me, nourished me, encouraged me. I would not have had that at the university; I would have been one of a number. I would not have had that at a college. But I went back home to my former school, and at the age of 21 I went to grade 13. After that, I went on to university, then to the faculty of education. I sit here before you today, and I consider myself to be a success.

People who are 21 years old today — with this new government action about adult ed, in 30 years we won't be seeing those types of stories. I beseech you to reconsider what you're doing to adult education.

Mr Jarvis will speak to you about a few other issues.

**Mr Marshall Jarvis:** With regard to the issue of sick leave, the amendments contained in subsection 5(2) and section 10 will delete the statutory entitlement of teachers to any sick leave pay. It's with regard to that issue that I speak to you. From the Ontario Ministry of Labour database, it is essential to understand that for teachers, the length of paid sick leave benefit and the maximums allowed to be accumulated — and these are Ministry of Labour stats — are in line with both the public and the private sector in similar areas. Occupations such as those noted in the document you have before you clearly indicate that we are not out of line, and that fact sometimes has to play into political decisions.

From Statistics Canada, we find that in absenteeism rates for full-time, paid workers by occupation, in terms of average annual days per year in 1994, teachers, elementary and secondary school, are lower than manufacturing, all other industries and occupations, public administration, managerial and administration, nurses,

medicine and health — a fairly wide variety, I would say, in both the public and private sector. So we don't find that the usage rate of teachers is in any way exorbitant.

It comes down to one aspect and one aspect alone: Why would a government move in an area where it's attempting to save costs where no definitive cost savings are derived by that government? This government will not obtain one nickel in savings by altering these statutes that are currently enshrined within the Education Act. It's a question that begs an answer at some time.

There are arguments around the issue of retirement gratuity, but retirement gratuity is an issue unto itself, and I think this is a back-door attack upon it. It's a back-door attack upon a benefit which is negotiated locally. According to the minister in his announcement regarding the cost saving, he clearly indicates that he's looking for locally negotiated solutions.

Further to that, the implications are profound. There was a question earlier about long-term disability. Unfortunately, the poser of that question is not with us at this point. However, I will highlight the issue. The elimination period on all our LTD plans is based upon unused sick time. That is a net benefit to the employer, because it lowers the overall LTD cost. By eliminating the access or the accumulation, we end up with a scenario where LTD may become so prohibitive in nature that we will have to, in many cases — I'm sure you're aware of statistics, of course, because you wouldn't make an uninformed decision as a government. You would look at the aspect of LTD usage rates already. The net effect we're probably going to have is that we'll be transferring all of that directly to the government through UIC, sick leave benefits, because we will not —

**Mr Wildman:** That's the federal government.

1120

**Mr Jarvis:** Federally, yes. Well, with some businesses, perhaps with the chamber of commerce, I wouldn't see a difference.

But that clearly is a concern. Short-term disability plans could be a resolution. However, we have already begun to investigate those, and the costs are so prohibitive that it's a complete exception. We cannot afford a short-term disability plan, either borne by the employee or the employer, in any form. We have portability issues in terms of sick leave that are going to be affected and, of course, retirement gratuities.

We, as teachers, oppose this attack upon what is seen as a statutory necessity for this profession. There is no reason for this to occur. When we talk about what other groups have said, and I do have our provincial document, sick leave benefit reductions and attacks upon retirement gratuities may very well lead to difficulties in negotiations, and one of the outcomes of difficulties in negotiations may be job actions, because that is a legal process. We will exercise, as we have in the past, discretion at any time being involved in such actions, but there has to be a recognition that it does exist.

**Mr Tony Andreacchi:** I have brief comments on cooperative agreements. The Education Act will be amended to permit school boards to enter into agreements with other school boards for certain educational purposes. In order to encourage cooperation among school boards



and other public institutions with respect to efficiencies, the amendments will permit a wide range of agreements to be made by these boards. The intention is to encourage the sharing of facilities, equipment, transportation and various other support services.

Should downsizing be a factor, this association demands that all employee rights be protected and, furthermore, that the contractual status of each employee be honoured.

In Thunder Bay, our public and separate school boards have worked together cooperatively for many years in providing services in transportation, purchasing and the film library, to name examples. Considerable savings have resulted, especially in the area of transportation.

I have a little story here, not as poignant as my friend's. Last week, I had the occasion to speak to a JK teacher, and I asked about how the cuts were affecting her program and what the imagined effects would be. She cited, since I'm speaking about transportation, the fact that one of her children was picked up about 7:15 in the morning to arrive to school later on at approximately 8:30. This child, four years old, is on a bus for an hour.

I know our boards have already been involved with double routing; next year they're considering triple routing. When one considers the full-day option on alternate days, quite conceivably these small children could be on the bus from 7 am to 5 pm. If that were my child, I'd be very concerned. Your children, your grandchildren — I don't think we want to see them in that position. Will that have an effect at the classroom level? Most certainly. I hope this committee takes that into account.

Aside from that, as mentioned earlier, the board has partnered with St Joseph's General Hospital, the Thunder Bay diocesan office and St Joseph's Heritage, one of our local facilities here, in sharing of staff and staff development services and facilities.

In conclusion, the Ontario English Catholic Teachers' Association supports such cooperative ventures and endorses this amendment contingent upon the constitutional denominational rights of separate school boards being respected.

**Mr Jarvis:** With regard to the issue of equalization payments, the proposed amendments enable school boards to make equalization payments to the province so that the impact of grant reductions is shared by all boards. The amendment stipulates that a board "may" make an equalization payment which does not exceed the negative-grant amounts. Given the language of the legislation, it is clear that the government is depending on the goodwill of the boards to comply. Negative-grant boards will not contribute any moneys but will instead constitutionally challenge any attempt by the government to make any meaningful extractions.

Hence Vanstone's unilateral declaration of a holy war recently. The Metro press — and I'm sure it's secular in nature — certainly wasn't embracing any move by the government whatsoever, even a voluntary move, if it was going to access or involve any moneys from the Metro tax base. With that kind of position, I don't believe you're going to see a great deal of voluntary activity on the part of the Metro school board. What this will lead to

is a further exacerbation of the plight of assessment-poor boards, since they will in effect pay the share which cannot be extracted from negative-grant boards. In short, the rich get richer while the poor get poorer.

It's interesting to note the \$65-million question arising from the social contract. The most recent material I have from the government in terms of the agreement that was to be signed is not official and I don't believe those moneys have been transferred. However, I would certainly beseech the government to make public the documentation on that because I would certainly enjoy the opportunity to read such.

The Ontario English Catholic Teachers' Association is of the view that the language must be mandatory, because this is an issue of adequate funding which provides equity and fairness for all assessment-poor boards, both public and separate, in Ontario. We oppose any arrangements where the payments would only apply when the government is implementing a program of cutbacks. In essence what happens is that if the government's going to cut money, the board may perhaps decide, if it wants to, to give some moneys to the government.

A very interesting point was raised, certainly one omitted by a great number of individuals, that these moneys would then be destined for the general revenues of the government as opposed to specifically denoting them for educational purposes. I'm sure the government representatives here, in terms of the answers that I've heard, probably will go forward with recommendations to amend this to ensure that those moneys are earmarked for education.

Furthermore, we reject any arrangement in which negative-grant boards would pay the moneys owed to the province at some future date by a holdback when these boards become grant-positive. I await the day Metro becomes grant-positive. I will take issue with that, but we'll certainly see in the near future. It's a point of debate that will be an interesting one.

In conclusion, I would point out that the Catholic teachers' association has always been open to change. We've discussed openly with the government issues such as the College of Teachers. We've discussed issues openly in the area of destreaming. We are not opposed to change. We are opposed to any infringement on the rights of the students of this province, from junior kindergarten through to OAC, in terms of their right to a fully funded, equal public education system in the province of Ontario. We have to ensure that the opportunity of learning in a wide variety of areas is offered to each and every student regardless of their location. It is an onerous task for any government — I respect that fact — to ensure that such goes forward, and it is a political decision.

Our recommendations in terms of the present legislation are contained within the document. Yes, 1997 may be yet another year in which we embrace further cuts. We have limited our discussion at this time only to the questions and to the points before us. However, we will be prepared to answer questions at this time on a wide variety of areas, no doubt.

**The Vice-Chair:** But we only have two minutes per caucus, unfortunately.

**Mr Patten:** Thank you very much for your presentation. It had quite an impact, especially your personal experience in adult education, which vividly demonstrates not only the worth and the value of the program but the distinction between that and one taking a course here and a course there under what will now occur, that is, moving to the continuing education model.

I would like to ask you a question, if you don't mind, on junior kindergarten first. It sounds like in the future you feel JK may be threatened for your board even though you were pioneers in having junior kindergarten.

Related to your comment on a direct attack on the delivery of Catholic education, I'd like to let you know that Joe Redican from the Windsor Catholic school board made the comment that this move pits board against board, creates competition, creates conflict and undercuts essentially a farm system, especially for the Catholic school boards, where people have to make a conscious decision to send their children there. If they don't, those children will be lost to that system forever. Is that the spirit in which your comment was made?

1130

**Ms Pentick:** I would say basically that's our concern. Our board and the public board, to the best of our knowledge, do try to work cooperatively, but it's a fact of life that if one board offers JK, the other is going to be forced to or else you lose your students, you lose your lifeline. Of course, in the situation of Catholic boards, our assessment base is lower, the revenues are smaller. It's more difficult for us to offer programs that are not fully funded.

**Mr Patten:** This particular bill has been so divisive. I live in Ottawa and I'd like to suggest that the characterization of those two boards is not that they're greedy boards. As a matter of fact, the Metro Toronto board was in negotiations with the minister, and it was our leader, Lyn McLeod, who flushed out the agreement they had in principle, which never did take effect because the Metro board was looking for some of those "tools" to cut. They felt the government did not live up to its end of the bargain in providing them some ways in which they could find the resources. So they are still in negotiations.

The Ottawa board has said: "We've been told there will be negotiations. We are prepared to sit down and negotiate." We have yet to hear a word from the minister or the deputy or the ministry in terms of looking at those resources. I'd go further to say that I think they would agree — I shouldn't say that for them; they might agree — with the concept of looking at a new basis on which funding would take place for education.

This bill is not an education bill. It really is a money bill. What it's providing is money to be taken out of education and to go out of education totally and completely.

**The Vice-Chair:** Do you want to make a quick comment on that?

**Mr Jarvis:** I do appreciate the opportunity. A \$400-million extraction in four tenths of the school year translates into — and even the minister agrees with it — at least \$800 million. It may be slightly higher than that, because not all the factors can be quantified at this point in time in terms of count dates etc. However, they too

will add to the moneys that will be removed from education.

In terms of improving education, I haven't found one, but I would await perhaps hearing from the government's representatives as to the benefits derived by school boards and, more importantly, the students of this province with this.

I have a question to the government that I think has to be posed, and that is, what are you going to do with the 50,000 students who are currently enrolled in JK whose programs have been cut? What are you offering as quality educational programming for these students?

**The Vice-Chair:** We'll move on to Mr Wildman now.

**Mr Wildman:** Obviously there are a lot of people who are influenced or directly affected by educational programs and funding: the students, the parents, the teachers, the trustees, the administrators and the taxpayers. In the past, governments of all stripes, and I think all boards and teachers, have attempted to have a student-centred program in education which takes into account the needs and concerns of all the other players as well. It appears with this legislation that this government is moving to a taxpayer-centred education system, and the interests of the students are not being taken into account in the same way they were in the past.

I appreciate your comments on adult education, but I want to deal specifically with junior kindergarten and the question you just posed. It seems a little bit like the cart before the horse, but the government has said they will cut the funding for junior kindergarten and they will make it optional, and then they will do a review of the program and might reinstitute it later on perhaps, I guess. Has your federation had any contact from the ministry with regard to participation in a review of the benefits of junior kindergarten? If so, what contribution have you made or are you willing to make to such a review?

**Mr Jarvis:** We are prepared to sit down and discuss educational issues with the government at any time. We're still prepared. If this is the consultation process, then this is what we've had an opportunity at this point in time to look at. So no, we haven't had any direct contacts that I'm aware of, provincially or locally. I think much is being made of the day the minister walked out on the OTF group after a brief discussion about, "What are you willing to cut?" and we put principles forward as organizations and that didn't meet a need.

I would add one thing to your preamble, and that is that I have yet to find a school board that did not weigh education and the effect it has upon the taxpayer in any of their local decisions, many times much to our chagrin or my chagrin within my own local school board. Just to put things in perspective, at this time last year I was in the classroom, so this is not someone who is not an educator. I am an educator.

**Mr Gilchrist:** It's unfortunate that the short time period — there are a number of things in your presentation I'm sure a number of my colleagues would love to question, and I'll have to restrict my comments to two very quick questions. But I also wanted to redress something you said a second ago to Mr Wildman. Your association has in fact made representations to this committee on a number of occasions, and perhaps your



president should do a better job of consulting if you were not aware that Ms Rettig has appeared before.

I note in your introduction there are two things that are very clear: Number one, you are here to represent 350 men and women. That is absolutely your right, to come and appear before us here today as a special-interest group or a vested interest. But I see something else, where you claim a priority of people over economic systems. But when I look at the things that have been done to implement the 1.8% reduction in the grant in this board, I don't see anything about prep time, I don't see anything about sick leave gratuities, so I guess the priority of people over economic systems doesn't apply to the economics of the teachers.

Let me just challenge on the sick leave, because I really do believe one of us is very flawed in our thinking here. I would submit to you as somebody who had a business for 25 years and had a myriad of employees and had an LTD plan, you're suggesting that if in fact the OSSTF and others who have made representations — the numbers vary from 4.1 days to 7.8 days, what teachers actually are using. So that is the cost if in fact teachers were recompensed for the days they are — and I have no reason to use any other word than “legitimately” — taking off.

Obviously, if the sick leave allowance were changed to reflect that, and let's say eight days, or 10 days to err on the high side still, and the LTD plan picked up the potential to go higher, you're suggesting, I guess, in your presentation that instead of the absolute cost that could be up to 20 days — OECTA in Carleton has no gratuity at all. I don't know why that is, but for most of the boards, 20 days. You're suggesting instead of the absolute expense to the school board of 20 days' pay, the possible expense to the LTD plan, which would factor in on a strict accounting basis the possibility you would go over those 7.8 days, that somehow that wouldn't be a savings.

I really would ask where you derive that conclusion. And let me just say, because you're only going to have one chance to respond in the limited time, the OECTA presentations in all but one location have also said that in the event that employer groups resist granting teachers 20 days of sick leave or refuse accumulation and further refuse that such accumulation can be utilized for retirement gratuity purposes, strikes will occur. I wonder if you can comment on those other OECTA presentations.

**Mr Jarvis:** Absolutely. I would enjoy the opportunity. I'd like to begin by stating that what was stated here is that if this is the only source of consultation, speaking to this committee, then yes, we have utilized that. However, I think, as the educators, as the “service providers” in education, that if you're going to alter a program in terms of funding or implications of the funding changes, perhaps you should have come to the service providers and said, “What would be the possible outcome of these actions, and are they beneficial?” My president, I'm fully —

**Mr Gilchrist:** I suspect Mr Skarica could comment about the number of meetings he's held.

1140

**Mr Jarvis:** I gave you full opportunity to pose your questions and make your statements. In my classroom, we

have a simple rule. It's called common decency and courtesy. Let the other person respond. I'm sure it would be enjoyable to have it here too.

**Mr Gilchrist:** Oh, I'm sure.

**Mr Jarvis:** So with regard to that issue, our president has spoken to select committees. I think that in education we should have a much broader consultation basis than just this. With regard to the 350 men and women who provide the service, education, we are the ones who are in the classrooms. We are the ones who deal with the students on a daily basis. The bond that those students have with their teachers is an important one and in many cases has done a great deal to shape those. So if that's special interest, then you're right, it is, because we do have the special interest of the students at heart.

Further to that, in terms of a 1.8% reduction, let's talk about educational finance, since we all have an understanding of it. The 1.8% reduction is against the total financial cost of education in the province. It's not limited to the grant. The government provides a grant. The remainder comes from the local tax base. The impact of the reduction of the grant portion alone, which the government has the control of, far exceeds 1.8%. As a matter of fact, it's closer to the range, depending on where we are, up to 10%. I am sure that if we brought the financial people from boards forward we could get into this discussion.

We can disagree on that, but the fact is, the cuts to education are not 1.8% against the total outcome. However, you do not control the local tax base. You may one day control the local tax base and then you can talk about how you derived the total benefit in terms of educational cost.

In terms of the sick leave, let's talk about LTD plans. LTD plans, a basic premise — because I looked after mine directly with Canada Life for over a decade. We made a number of substantive changes to our LTD plans. There are a number of factors that impact upon the cost. What we're looking at is this: When an individual has an accumulated sick leave basis in terms of elimination period, that elimination period for most standard educational LTD plans is anywhere from 90 to — it could be all accumulated sick leave. That is a direct benefit in terms of, in an absolute sense, the cost of that plan to either (a) the employer or (b) the employer/employee if it's a shared one.

If you turn around and remove the accumulation, then you have one of two ways of funding it: either through UI short-term sick leave to bridge that period of time, and that does happen where people with few years of experience have not accumulated sick leave, or your premiums become excessive to the point where you cannot afford to offer the benefit.

We will end up with situations across the province where we're going to either have employees have to drop out of the plan because the plan's so exorbitant, or the employers are going to say, “We can't afford this,” and will dump the plan. Now, if that's the long-term goal, then what you're going to do is shift it in two ways — and there is a provincial component in this. You're going to shift it to where people can't afford it and therefore will go on UI, but UI is a limited time period. After that,

there is another form, and then you're looking at a provincial expense. And so there are significant — and yes, we can discuss this all day. Let's talk about —

**Mr Gilchrist:** It's amazing that the private sector can all survive without it.

**The Vice-Chair:** Excuse me. We're not going to do that because —

**Mr Jarvis:** The private sector doesn't survive without it. They do have plans and they do deal with it.

**The Vice-Chair:** I noted that in this round the questions were longer than two minutes and so were the answers, so they're the longest two minutes I've ever seen. But anyway, thank you very much for your presentation.

**Mr Wildman:** You're a draconian Chair.

**The Vice-Chair:** I am a draconian Chair. I'll go on the record as being that. It doesn't bother me any.

#### DRYDEN DISTRICT WOMEN TEACHERS' ASSOCIATION

**The Vice-Chair:** Next we'll hear from the Dryden District Women Teachers' Association, Shelley Jones, president, and Lynda Pilipishen, an executive member. Welcome to our hearings, and again you have 30 minutes, which includes time for questions and answers.

**Ms Shelley Jones:** Thank you for having us here today. I'm Shelley Jones, the president of the Dryden District Women Teachers' Association, and with me is Lynda Pilipishen, an executive member of our association and a JK teacher.

The Dryden District Women Teachers' Association represents 110 women elementary teachers within the Dryden board. Our members can see the effects this government's cuts and other measures are having on the children and women of both our area and the province. DDWTA urges the social development committee to listen carefully to all the presentations in front of you and give serious consideration to the issues. We urge the provincial government to reconsider many of the decisions which are proposed in Bill 34. We do, however, encourage the government to continue to provide the opportunity for cooperative approaches to providing services that we find in the cooperative measures section of Bill 34.

Junior kindergarten as an optional program: It is a myth that the government has made junior kindergarten optional for school boards to offer. "Optional" would mean that the boards could choose to offer JK or choose not to offer JK. The government's actions have put the choice of providing a JK program out of reach for many boards. The government has lowered funding from 100% to the rate of grant for each school board, approximately 45% on average. It cut \$398 million from the grants to school boards for 1996 and it introduced this bill which makes it optional to offer junior kindergarten programs.

It is clear to us that the result of these changes is that offering a JK program is no longer an option for many boards because ending it is the easiest way to find the savings imposed by the cuts in the grants. The Kenora board, for instance, has successfully operated JK classes for the past 17 years. They have found themselves unable

to continue this program and it has been cancelled. The cancellation of this program is a great loss to the young children in the Kenora area and their families.

The mass of research, evidence and experience showing what a mistake it is to deprive children of early childhood education should be well known by now. The Federation of Women Teachers' Associations of Ontario has detailed this evidence in previous submissions to this government; for example, in the FWTOA submission to the Ontario standing committee on social development, *The Impact of the Conservative Government's Funding Cuts on Children and Children's Services*, December 12, 1995, and in FWTAO's statement to the Ontario standing committee on finance and economic affairs for the 1996 pre-budget consultation, and the FWTAO's submission to this committee.

Making early childhood education difficult to obtain threatens the most vulnerable in our society — our young children. The junior kindergarten program has much to offer the four-year-old child. We would like to give you a picture of the JK program by describing a day in the life of a JK student.

**Ms Lynda Pilipishen:** "We wait by the side of the road for the big yellow school bus to pick us up. Our mommies and daddies think we're too little to ride the bus, but we know different. We know the school bus rules — sit in your seat, listen to the driver and be careful getting on and off the bus. Everyone thinks the bus ride is too long for us, but we love the bus ride."

"When we arrive at school our teacher greets us at the door. We have to be responsible for our coat, hat and backpacks. Everything much be hooked up in its proper place. We find our names and hang up our belongings. We're organized!"

"We all join the teacher at circle time. Our class is learning numbers, dates, patterns, days of the week, months of the year at calendar time. Most of us can recognize all of our classmates' names in print from the teacher's flashcards. 'J' is for Jeremy. Our teacher says we're smart cookies."

"Next our teacher tells us to choose an activity we would like to work at. We have to go to the activity chart and pick a centre. Our teacher says we have to make a decision and plan our day. There are lots of centres to choose from: painting, blocks, bikes, water, stories, computer, playhouse, puzzles and many more — about 25 activities for each theme. It's a hard decision to pick one, but we soon learn to take our turn at each centre. At the centre we must cooperate with our friends, find the materials we need, follow the instructions, show the teacher our work and clean up after we're finished."

"If we don't know or understand something, our teacher teaches us lessons. We're learning colour names — yellow, red and blue. We have to sit and listen carefully to the teacher when she teaches us stuff like numbers, letters or science. She says, 'All ears and eyes on me,' and we do that lickety-split."

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"Every day our teacher reads us a story or our reading buddies from grades 4 and 5 come in to read to us. We sing and we dance every day too."



"Our favourite days are gym and library day. We go to exercise in the gym and in winter we go skating. At library we get to take books home! We're lucky ducks.

"Sometimes we have special guests, like the police officer to talk to us about bike safety or the dental nurse to show us how to brush our teeth. We have toothbrushes in the classroom and we brush our teeth after snack time. We have regular visitors too. Janine comes in to help those kids who are just learning to talk; she's a speech helper. Lynne comes in to help some kids who are having problems; she's a social worker. Our moms, dads, aunts, grandmas and babysitters drop into our classroom all the time. They help us with skating, read to us, work at the craft table and go on field trips. We love having our family come into school and we like to show off all our great work.

"After a busy day at school, we say goodbye to our teacher — she gives us a big hug — and we head home on the yellow bus. We'll be back tomorrow to have fun with our friends."

We hope you can see that junior kindergarten is truly an opportunity for children to learn and grow into independent, motivated learners. It is an opportunity for educators to work with young children at an age when the children's learning capacity is at the strongest; it is an opportunity for parents to bridge that gap from home to school; and it is an opportunity for community agencies and support staff to meet children's needs at an early age and give them a head start.

**Ms Jones:** I want to tell you about a specific school in the Dryden board. By teaching at this school, I became very aware of the importance of early childhood education and intervention for at-risk school children.

Hudson School is a small school in the town of Hudson outside of Sioux Lookout. Many of the children live in low socioeconomic circumstances. Children entering kindergarten in the Dryden board undergo a screening process by the classroom teacher and the speech and language pathologist in order to identify at-risk children. Over the past five years, 40% to 60% of the kindergarten children at Hudson School have been identified as at risk. They enter school with receptive and expressive language difficulties and are often well below age level for these skills. Usually it is because they have not had a variety of experiences with language. Because the school staff has an understanding of the students' needs, the focus of the kindergarten programs, both junior and senior, is on language experience and utilizes English-as-a-second-language strategies to help the children understand the words they hear and to develop their speaking vocabulary. If these children cannot enter a junior kindergarten program, they will lose the proven preventive and remedial effects of early childhood education.

**Ms Pilipishen:** The government should know very well by now that parents recognize the value of junior kindergarten. Last year more than 110,000 children were enrolled; 85% of all four-year-olds. The DDWTA also knows that parents care about early childhood education for their children. We have worked closely with many of the parent councils in the Dryden board. Several parents were interested in attending this hearing but were unable

to due to family responsibilities and the time and the distance required. Deby Justice, chair of the Lillian Berg Educational Advocates, made a presentation to the Dryden board regarding JK, and I would like to excerpt some of her comments from this presentation:

"I am not alone when I believe what a vital and important role the school plays in a rural community. The school becomes the focus of our children's lives. As a parent of two young boys who have both participated in and benefited from the JK program, I speak to the importance of youngsters, living in the country without neighbours, experiencing making friends and socializing with people their own age for the first time. The joy that is savoured by the new expression 'my friend Kevin' cannot be equalled.

"Some people may dismiss JK as an expensive babysitting service. Yes, in some cases that may be the attitude of some parents initially, but as the days progress you can see the youngsters blossom, become more sure of themselves as little 'people,' look forward to the projects and activities each day provides and learn how to deal with people outside the family unit. Over the course of the year I watched a little child who could hardly be detached from the mother's leg transform into a humorous, motivated, participating student through the nurturing educational JK program....

"Our current society is not very forgiving and the future appears to be even more competitive and demanding. It is imperative that we provide our children with the best possible start in their educational lives and in that regard I firmly believe that the JK program cannot be considered expendable in the educational plans. I understand fiscal restraints but we can't let that be our reason for ignoring the irrefutable and positive benefits of kindergarten programs."

To demonstrate to the Dryden board that parents wanted the JK program continued, a petition was circulated. Hundreds of parents and taxpayers signed this petition. It is very clear that parents want junior kindergarten and believe in the long-lasting benefits of this program to both the learner and society. Dryden Board of Education will offer JK next year, but will there come a time when it won't have that option, won't be able to afford the program?

We know a lot about children and how they learn. We know the importance of early childhood education. It is a serious mistake to make it impossible for school boards to offer junior kindergarten programs. Children, parents and society will pay for this shortsighted cost-cutting measure for a long time. Please reconsider making junior kindergarten optional for most children.

**Ms Jones:** I would like to address changes to sick leave provisions of the Education Act. Bill 34 removes the longstanding statutory entitlement of teachers in Ontario to be paid for up to 20 days of illness per school year, effective August 31, 1998. There are two main myths surrounding this issue:

(1) The number of sick days available to teachers is not out of line with those provided to many other groups in both the public and private sectors. Sick leave in other occupations ranges from six to 24 days per year, and it

can accumulate also. Nurses, for example, receive an average of 18 days per year.

2. Teachers do not abuse their access to sick leave. A study by the Canadian Teachers' Federation in July and August 1995 stated that teachers' absenteeism is below the average in all industries and occupations.

Teachers, by the nature of their daily interactions with children, are exposed to an extraordinary variety of illnesses. Do we really want teachers with colds and flus working with children? Ensuring that teachers have guaranteed sick leave is good public policy.

The collective agreement for Dryden elementary teachers and the vast majority in the province contain language providing adequate sick leave, and we will be determined to preserve this necessary protection. By removing the entitlement of teachers to be paid for up to 20 days of illness per school year, you have escalated conflict between teachers and school boards in an area where the parties have so far been able to live with their negotiated commitments.

Joint activities with other boards: Bill 34 proposes changes to the Education Act to allow school boards to enter into agreements with other school boards, municipalities, hospitals, universities or colleges for the following purposes: joint investment of money; joint provision or use of administrative support services or operational support services; joint provision or use of equipment or facilities for administrative or operational purposes; or a purpose prescribed by the Lieutenant Governor in Council, by regulation.

The Dryden District Women Teachers' Association sees these amendments to the Education Act as positive ones that are currently being pursued by our board and others. We believe this is a positive step only if these cooperative measures do not affect the education of the children in the Dryden area or in Ontario.

FWTAO has advocated for the integration of children's services for the past five years. In a brief to the standing committee on finance and economic affairs, FWTAO encouraged the government to "provide the opportunity for cooperative approaches to providing services." We hope these changes will facilitate the needs of a child being met in a holistic manner.

Conclusion: Dryden District Women Teachers' Association strongly opposes the cuts to education funding that have been made. We fear these cuts will have a detrimental effect on not just the education system but also the children of our area and the province.

In introducing this legislation, the Minister of Education and Training indicated that the decisions for realizing the savings through the changes in the Education Amendment Act, as well as other measures announced on March 6, are based on three goals: classroom funding should be protected; opportunities should be provided for local decision-making and locally negotiated solutions; and local taxes should not be increased.

We have seen at first hand how our board acted hastily to meet its budgetary obligations without any consultation with the stakeholders, which resulted in community upheaval. The cuts to funding our board experienced did not facilitate local decision-making or local negotiated solutions. The only opportunities we see are for further

cuts. Dryden is a small board with 150 elementary teachers. Currently, we have 36 teachers on the recall list and we expect that in the end 20 full-time equivalents will be terminated. The elementary system has been devastated. We have lost programs, support services and personnel. All of these changes will have an impact on the classroom. The cost of these changes to the Education Act is our children's future.

Thank you for allowing us time to make this presentation and for making it accessible to us by holding this hearing in Thunder Bay.

**1200**

**Mr Wildman:** Thank you for your presentation. I enjoyed the way you did it, in terms of the experience of the junior kindergarten student. I must say, though, as a member of the opposition and a member of the committee, I find the experience of these hearings frustrating. I'll explain why and then ask a question.

Over and over and over, both teachers' federations and boards, both separate and public, have reiterated, as have some others, the benefits of early childhood education, specifically junior kindergarten programs. They've also described, where junior kindergarten programs are being continued by boards, changes that have been made in them to make it possible: larger class sizes, full-day programs, alternate days, those kinds of things; in some cases they've been combined with kindergarten programs. Yet I don't get any impression that the government is about to change its position with regard to making it optional and cutting the funding.

There has been a suggestion that the government might review the junior kindergarten program. Have you and your federation, provincially or locally, had any contact from the provincial government in terms of a review of JK with the opportunity perhaps to have it reinstated at 100% funding?

**Ms Jones:** Locally, we have not been. The ministry has promised FWTAO that FWTAO will have input into the ministry review of junior kindergarten, but no opportunity has been provided as yet. FWTAO representatives, as part of an OTF meeting, have met with the ministry representatives on junior kindergarten. But I know for a fact, speaking to our president yesterday, that has not been continued past today.

**Mr Wildman:** In one of the boards you said it's been eliminated and in the other it's been continued because of the pressure from parents and so on. If there are further cuts next year, as we anticipate, in terms of grants, what's likely to happen to that program that has been continued?

**Ms Jones:** I don't know where our board will go next year with cuts. I can only speak for the elementary panel. There's nothing left in it to take out besides PTR. That's the only thing we have protected. We have devastated the special ed program. We have JK all day, every other day. There are very few places left to go.

**Mr Pettit:** Thank you, ladies. I think we should note right off the top that based on the returns that are in so far — and I stand to be corrected on this — roughly 78% of all boards have voted to maintain JK. Having said that, I would like to ask you, do you have any alternative venues for ECE in Dryden?



**Ms Jones:** Are you asking if we have a day care program in Dryden?

**Mr Pettit:** Whatever you may have.

**Ms Jones:** We have both a day care program and we have nursery schools in Dryden. The nursery schools are usually offered, I believe —

**Ms Pilipshen:** Half-days a couple of mornings a week.

**Mr Pettit:** What are your views on the differentiated staffing?

**Ms Jones:** First of all, there's a real difference in how programs are offered for day care and for junior kindergarten. Under the current legislation, early childhood education provides programs for many fewer children than are found in junior kindergarten classes, so this wouldn't necessarily be a cheaper solution.

**Mr Pettit:** One last quick one: Do you have any alternative solutions that would deal with the fiscal realities of the day or is the status quo acceptable to you?

**Ms Jones:** I'm not asking for status quo. I understand that there are fiscal restraints necessary. However, I believe —

**Mr Pettit:** Do you have any alternative solutions then?

**Ms Jones:** — that you have cut far too deep and too fast into education, and I've heard that over and over and over again today. That's coming from educators and school boards and parents. Our board at every budget meeting and board meeting for the last month had 12 parent groups every time speaking eloquently, and I'm sorry they can't be here today, but they have lives to continue.

**Mr Pettit:** I understand that, but do you have any solutions to offer?

**Ms Jones:** They see, and it's not just the federations but these parent groups, that you have cut far too deeply and too fast into education. There are a wide variety of —

**Mr Gilchrist:** Wait till she lectures us.

**Ms Jones:** Thank you.

**Mr Skarica:** I share Mr Wildman's frustration, but for different reasons. We've had three weeks of these hearings and I think it's conceded that the province has a huge debt and deficit problem and that's not going to go away. The way many organizations are dealing with it when they have these kinds of fiscal problems is they do whatever is necessary to maintain their programs and what needs to be served. One of the things they do, and we've all done it here — all the politicians at the table here have done it — we've taken a 5% pay cut, we've given up our pension benefits, but I don't hear any of that coming from any of your organizations. We're not talking a lot; we're talking maybe a small percentage cut in benefits or pay. That is not even being considered.

When you look at the retirement gratuity, we're hearing from a number of teachers, "We're not negotiating that, even if you make it negotiable; we're going to go on strike," even though there are unfunded liabilities in that area, we've heard, of up to \$10 billion. Is there any room for a small reduction in benefits and compensation as opposed to laying teachers off and so on and so forth? Is there any room for that?

**Ms Jones:** We just went through a very, very difficult collective bargaining process with our board. It took us three years to a collective agreement. I am not prepared at this time to discuss possibilities with you in such a public forum.

**Mr Skarica:** Why not?

**Ms Jones:** Because it's a collective bargaining issue which takes place at a place. We have come to the collective bargaining table with presentations, with possibilities, and have taken changes to our collective agreement. There are many changes to our collective agreement this time that were concessions, and concession bargaining is occurring all over the province. I resent the fact that you are saying it's not occurring. Many collective agreements are open right now; ours is not. We just signed it. It's a very painful experience, and no, I am not prepared to discuss collective bargaining at this time.

**Mr Patten:** I would say that the federations are paying with lost jobs that will number in the thousands when this is all through. The number you quoted is fairly high in terms of teachers on recall; out of the 150, 36 on recall, and a number who have already lost their jobs, and that's this year.

**Ms Jones:** That's this year. That does not include the social contract loss of jobs.

**Mr Patten:** You might add that to your answer. When you take that into account, you take this year, and the prognosis of the annualization of the cut, because next year it'll be even more severe, what is your prognosis in terms of staff and teacher loss?

**Ms Jones:** We will lose 20 full-time equivalent elementary teachers this year. We have lost, I believe, and I'm not sure if I have the numbers right, seven teachers through the social contract. So we're looking at 27 fewer teachers from 1993. I don't know what our elementary system will look like next year. I can't imagine being able to provide programs for children with fewer teachers.

**Mr Gravelle:** What I find astonishing about my colleague across the floor's statement is that it seems almost implied that "Unless some concessions are made and discussed publicly, we're going to punish you by removing JK in terms of making it optional."

**Mr Newman:** Oh, come on.

**Mr Gravelle:** Well, it's what you're implying: "We're going to take away adult education. We're taking away junior kindergarten." The fact is, and Mr Patten said it earlier, it's not an education bill, it's like a finance bill.

I wanted to ask you, because a lot of the members here, particularly the government members, probably don't know where Dryden is, more specifically, what the Dryden district —

**Mr Newman:** We know where Dryden is.

**The Vice-Chair:** He's got the floor. Let him ask the question.

**Mr Gilchrist:** You are being condescending, Michael, and that's unbecoming a committee like this.

**Mr Gravelle:** I didn't mean to insult you. In terms of the Dryden district, what are the boundaries into the schools and the area? You mentioned Hudson and Sioux Lookout, and I think it's important for everybody to know that.

**Ms Jones:** The Dryden board area starts in Ignace and goes to Dryden, which is 110 kilometres; extends farther west to include Eagle River and Vermillion Bay; then it extends north to include Silicote, which is 100 kilometres from Dryden; also again it extends to include Hudson, which has a tuition agreement with the Frenchman's Head band.

**Mr Gravelle:** The example in terms of the Hudson board was really interesting in terms of JK. It was really important in terms of the speech-language pathologist and the fact that you were able to put that into play. This is something that could be lost in terms if further cuts occur, because obviously without the speech-language pathologist these assessments can't be done. We're talking about children at risk who would be at greater risk, I presume, or would never be in a position to find out what their needs are.

**Ms Jones:** Right. It's not just the loss of the speech-language pathologist. We have one speech-language pathologist for our board, who does the testing. The special education teacher provides the programming for those children. We have lost in our board five special education teachers. I know it sounds like very little when you're talking about the huge numbers that occur, but we have a small board. Five special education teachers is a lot of teachers. Those children in Hudson will be affected negatively next year. If we lose JK, I can't imagine what opportunities would be available for those children. They are in desperate need of early intervention for English as a second language, English as a second dialect, and just early language experiences, because that's where their needs are.

**The Vice-Chair:** Thank you very much for your presentation. We stand recessed until one o'clock this afternoon.

*The committee recessed from 1212 to 1304.*

**The Vice-Chair:** I'd like to call this session of the public hearings into Bill 34 back to order and welcome everyone here this afternoon.

## TOWNSHIP OF EMO

**The Vice-Chair:** The first delegation is Reeve Brian Reid of Emo township and Judy Klug. Would you like to come forward, please. Welcome to our hearings. We look forward to your presentation.

**Mr Brian Reid:** Thank you for allowing us to participate. I guess I will begin. I'm going to speak on — I think it was about the third point on the fax I received — the cooperation between boards and municipalities.

Our Fort Frances-Rainy River Board of Education has been involved in a battle over the Westfort multi-use project, which is a project that began probably I'd say about a year and a half ago, just at the end of the previous government's reign.

This project has split the board of trustees, pitted communities against each other and resulted in our board being taken to court over the refusal to implement the school closure policy. The idea is to build an addition to Westfort, call it multi-use and close down our existing Fort Frances high school. The board lost the court

decision and had to invoke the school closure policy. They formed the school closure committee, which offered no direct representation from the area our one trustee represents.

Keeping in mind that money had already been spent on the initial Westfort project, including drawings and engineering studies on the land and the existing Westfort property, it was difficult to imagine that the committee could objectively look at any other alternatives, one of which, we had suggested, was a smaller school in the middle of the district.

That committee has now completed its report, and to no surprise, they went with the original project, which is the Westfort multi-use project. Our municipality has expressed concern over the cost of this facility to our ratepayers. Our pleas pretty much fall on deaf ears.

Our municipality visited a representative from the Ministry of Education and Training, Rob Sinclair in Toronto, to discuss our board's actions, to try to offer an alternative to better serve our students, but under our present board structure, our ideas, concerns and possible solutions will never be addressed.

Our municipal council has been petitioned to separate from the Fort Frances-Rainy River school board, an action taken by concerned citizens because of the constant lack of cooperation and consideration from the present school board. Also, because of where we are situated, it affects not just people who come from Emo but where going to Fort Frances involves over an hour-long bus ride.

In the middle of our district right now, in our town, we have about 95 lots coming up that are two separate subdivisions that construction has begun on. We have an OSB plant being built about five miles from our town in Chapple that is going to provide 130 jobs. We anticipate a growth in the centre of the district. We thought if we couldn't research the opportunity right now to have a smaller school in the middle of our district to better serve the people from Nestor Falls and Clearwater Lake and areas that are within a half or three quarters of an hour from our town, we've sealed our fate for a number of years for the distance and also for the money.

I don't think we can be satisfied to just sit still and collect and remit the school tax levy. I think we have to have some responsibility to the people who have elected us. We need some input, and at present we have one trustee on the Fort Frances-Rainy River Board of Education.

## 1310

Our municipality this year faces a 2.7% increase in the mill rate, which translated into roughly \$13,000 more that we have to remit to the school board. I think our total allocation is roughly \$394,000, at a time when each municipality is struggling to find ways to keep a zero tax increase. We feel it is unfair that the school board can levy an increase which the municipalities are bound to collect and remit to the board.

I know it has been petitioned — I don't know if it made it to NOMA or not — the idea that the boards should maybe collect their own taxes, because it does put a burden sometimes on the municipalities. When your first requisition is due in March, and ours is \$95,000, if



we haven't collected the taxes yet, the school board doesn't lose, we still have to remit them.

Municipalities are faced with a reduction in funding from the province. I think we'd like to be part of the solution, but we don't seem to have any control over this education thing as it just comes down the pipe at us. The people don't complain to the school board, because they pay the taxes to the municipality of Emo, so it has to be a concern of ours, how high this levy is going to go, where it will go.

We don't have this new construction yet. This year, there was one new school built in Devlin, Ontario, to replace the Cornerbrook facility, which is an elementary school, but we don't have this \$13-million project, the Westfort multi-use, on the table yet. With more cuts, you're going to have an increase automatically because of new construction. I think it's just going to be detrimental to our district in the end. It's going to tax us to death on education.

We need to cooperate to survive the uncertain times we face, but it takes two to cooperate. We think we've had a reasonable idea, but the board had forged ahead on this other project and it's almost to the stage where sometimes their actions are questioned. As recently as the other night, there was a motion from the trustees to review the whole situation again on this Westfort multi-use. It's a bad situation that's driving our whole district further apart instead of pulling us together.

I think some of the other changes that are mentioned, the junior kindergarten being an option, for years we've got along without that junior kindergarten. Now that it's implemented, even if it comes back to a local level, with the public pressure it would probably be difficult for it to be taken away, if you want to call it that. I think similarly with the sick benefits to the teachers, bringing it back to be addressed at the local level, once again, that's a strong union, and I don't know whether it would be successful. I'm sure it's going to be used as an attempt to try to help out with the impending cuts that are coming, but I don't know whether that would be successful or not.

I'll let Judy speak. She will expand somewhat on the idea of what we had as a proposal that we didn't think got a fair shake through the school closure committee process in our area.

**Mrs Judy Klug:** My name is Judy Klug, and I'm a parent. I'll speak to that, Brian, at the end of the presentation if I have time. I would ask you to throw your hand up if I go over the time. I don't wish to do that for you.

**The Vice-Chair:** Oh, I will.

**Mrs Klug:** As a way of introduction, I think I'd like to tell you that I'm sort of a non-political person in that I'm one who tends to shift her vote. I grew up in a family that was mostly Liberal, always seemed to vote Liberal at the federal level and either Conservative or Liberal provincially. I was the type of person who said when the NDP got in that I thought they deserved a chance and that I often thought they were the conscience of the people.

I voted Conservative this time around because I liked the candidate and because the government promised to make some changes that I felt were necessary and needed to happen, and I felt they were the kind of people who

could make them happen. I commend the government for recognizing the seriousness of our province's financial situation. I feel that sustaining or maintaining a \$100-billion debt would be just economic genocide for our children and our grandchildren, and I thank you for that foresight.

I'm not going to read the first couple of pages. If there's time, I'll read them at the end. I have noticed that Mr Snobelen has some very worthy goals, and he has them in the right order: a higher-quality system, a more accountable system and a more affordable system. I would like to address the last two, which should also look after the first one, which of course is the most important one.

I used to think that with a few minor adjustments school boards could be restructured from within, but I no longer feel this. They are too cumbersome; they're too time-consuming, for both administration and trustees; and they're too expensive. I have found, from the years I have been teaching in the system and since I have left the system, school boards are just dysfunctional and have been for a long time.

One of the problems I have with the school boards is, who is responsible? I don't have a problem with the people who are on the school boards, who are involved with what's going on; they're all very good people. But who is responsible is, to me, a good reason for us just to get rid of school boards, because you can never find out who is responsible. We are told that our elected trustees are responsible, but they are making irresponsible decisions because they haven't got the information with which to make a responsible decision.

You can spend hours and hours on the problems that are going on with our school boards, but I have put within the presentation a leadership letter that is really not meant for the press or anything else. When you read that letter, if you feel that school boards are important and are working and functioning well, you won't after you read this, from a professional. I've taken away, I think, the names and everything that are on there. I didn't take away the year, because one of the things I want to draw your attention to is on the fourth page, which talks about a select committee on education that was made up of various MPPs from all the parties, and it had to be before 1990; very good recommendations that needed to happen there, but nothing happened.

The system just isn't working. The bureaucrats, I'm afraid, are running our system, and this is another reason why I voted for the Conservatives, because I could see that they've got the initiative to change this around. This is why your constituents are always saying it doesn't matter which party gets in place, it's always the same: It's because the bureaucrats are running our system.

There are alternatives to school boards that we could have. One of them, a possibility, is to just have the administrators be responsible, and instead of the trustees having the position they have, they could just have an advisory position and would do so without having to be paid for that position. The administrator, then, if he wished to have advice from the public, could go to his advisory council and call his meetings whenever he wishes and have his advice if he wishes or does not wish,

he or she, and make the decisions. It would certainly be a quicker way of doing it and probably a more efficient way of doing it, because parents can be a problem for administrators and trustees.

**1320**

But the idea that started actually with the NDP and has continued on with the Conservative government now of parent councils, to me, is the way to go. You would need to get rid of that whole layer that we have now, just completely scrap school boards in the way they are now run. The parent council has some problems that come to mind for me; because we don't have time, I can't put them forth here. A provincial council as well would be of help because it would help the local situation.

You're looking at your local schools, then, having a parent council, having parents involved, principals still having a great deal of the responsibility for what's going on with that school. From what I can read and understand of the parent councils, I just know this is something that parents would really want to have.

There's a letter in here from the Ombudsman which shows some of what the problem is with parents who are trying to deal with a system that is just immovable. I won't go through that either, because if you're interested, you will read it, but one of the things that I will mention in it is a paragraph that goes, "Individual members of the public," said the person in the letter, "have access to school board meetings, and you may want to contact the local board to inquire about the meeting dates and times and their processes for reviewing written submissions and for making verbal presentations."

Yes, if the system worked, that would be the way to go. But excuse me, we did that. We tried it. It just doesn't work. As you read the letter, you will see that school boards tend to be just untouchable. I think they're even untouchable by the Minister of Education himself.

The third piece that I put in is — I hesitated to put in — perhaps I'll just tell you a wee story around this. Brian mentioned the lawsuit. We received a phone call in the middle of the night and I answered the phone. The person on there told me he was a sheriff and he wished to give us some papers — to "serve" us I think was the word he used.

When the papers were served, we didn't accept them, but that isn't the case; you have to accept them anyway. There was a very difficult situation here in that my husband and I were being sued for the court costs of a board of education that was going to court, that someone had taken to court. We had not given one cent towards that lawsuit. I personally just can't accept having lawsuits of any kind, on the board's side or on anyone else's side. I think that shows that school boards just are not working, because it's not a way to be responsible, to show our children how we should deal with conflict. That is no way to deal with conflict.

Also, the bureaucratic thing came in there, quite interestingly, because there were seven of us, I believe, who were served with these papers. One person who was served with the papers just didn't have any idea where on earth his name came forth because he had nothing to do with anything, he didn't know what was going on. But he was involved with the health system and was causing

some problems there. I think he was working with the unions there. It just shows that the bureaucrats do get together and do decide who needs to be reprimanded in whichever way they wish.

In the end he received a letter saying they were very sorry that this happened, but what had happened was, apparently through some of the documentation, there were names. People had gone to some meetings. They weren't school board meetings; they were public meetings. We had written our names down because we had gone to these meetings to see what was going on, and this particular person, whose name — I'll say it was Albert — he had put "Albert" and then the last name wasn't very well written but it looked as if it was the exact same name as this person who had been causing trouble in the health system. They immediately decided that person was someone who needed to be brought to task, and it was found out that he hadn't been there at all.

Another problem we have within the system I guess could be put up into two words, which is "teachers' federation." I put a couple of newspaper reports within the submission — and you can read those at your leisure too — to show that we still have this problem in that we were told we weren't supposed to harm the classroom and the taxes weren't supposed to be raised, and here is an indication of a board — and I'm sure most of the boards have done what our board has done, which has done both things.

The one that says "Parents Rally to Support Teachers" is interesting in that it brings up a topic that I wonder why we ever need teachers' federations at all. I like to think of a federation as an alliance of teachers. Look at businesses and corporations that have done well without federations or unions. One I can think of is Federal Express. Knowing that parents are really the very best allies that teachers can have, they truly are, they are the best tool that we have for our children, that going to parents and not using them for selfish reasons, which I feel has been used in this specific case when you read these, that parents are there to support the teachers because we know they are looking after the most precious thing we have, which is our children.

I feel that the collective agreements are hurting our children. One of the areas — I'll just mention one of them — is in preparation time. I've never cared for preparation time. It is an area where it is in the classroom, but it doesn't adversely affect a child, to me, to work on this within the collective agreements, on the preparation time that is given to teachers. I believe that it's not helping the children, it's not bringing consistency to their classrooms, and I just don't really quite understand why that has to be during classroom time. There are tradeoffs that can be made, and teachers do have a lot of things thrown at them, mandated to them.

One of the things that's coming up is that we're going to have mandated marks and achievements that our children have to make, and that's right too, but I'm hoping the government will put that on the honour system rather than forcing that, because it will happen. Teachers want to know where their children are in comparison to someone in Halifax or somewhere else and I think it will work if you do it by the honour system, instead of



working it through as if it's mandated and it's something that has to be done and tends to be something that's finding out whether the teacher is a good teacher or not.

Parent councils too will be very helpful towards teachers' problems, teachers' concerns. With the elimination of boards and the incorporation of parent councils, it seems like perhaps a dramatic change, but it's a good change.

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Going on from there, there need to be, in my opinion, schools of choice. I was sitting here this morning but only listened to one presentation, and there seemed to be this feeling that the way we have the school system now is better for the poor and the disadvantaged children, but the schools of choice going on in some of the other provinces — they call them traditional schools in BC; they call them charter schools in Alberta — are proving quite the opposite.

They're finding out that the first parents who line up to those schools are the single mothers, the parents who are on welfare, the parents who really need to have extra help with their children.

The charter schools in Alberta are public schools but are schools of choice. We do not have any choice within our system now. I feel that these kinds of schools should be looked at by our province, and I think once you do look at them, you will incorporate them.

I've talked to many of the people involved with charter schools. Parents love them. The kids really get to like them. At first they're very leery of them, especially in the high school area, because they don't like accountability any more than a lot of us do and they find that it's not as easy to hide in the system, but they are finding that they are feeling they're people of worth too. It's not that the public system doesn't have teachers who are good teachers. It's just a system that needs to have that choice within it.

**The Vice-Chair:** Mrs Klug, you have two more minutes.

**Mrs Klug:** I have to stop?

**The Vice-Chair:** No, no. I just wanted to draw your attention to the time.

**Mrs Klug:** The teachers — I was a teacher in the system for seven years — do have a tendency to condemn corporations for exploitation, and they are correct. Large, conglomerate corporations do take advantage. But that tends to be a monopoly, and that's what we have within our educational system now: a monopoly. What I'm finding for myself is that the children tend to be victims of this monopoly and the teachers tend to be the scapegoats.

I would like to talk about technology because in our area — Brian was going into some of the problems we're having; we're in a remote area — technology just opens the doors. It changes everything. It's a revolution, and we are not getting anywhere with it within our school system. Computers are non-judgemental, they're positive feedback, they allow children to work at their own pace, they are good for self-esteem. There are many areas in which a teacher can use the technology that is available.

When our particular group sent in one of our presentations to the board, three quarters of our work within that

is on technology. The thing is to know how to phase that into the system and how our teachers can be restructured so they will fit into that system. I'm hoping our government will look to that. I know Mr Snobelen has said he's looking towards a computer for each child within the secondary system. That's the way to go, and I hope it does happen. It will do nothing but help our system.

The last part of the presentation was something to do with a case in point concerning our particular issue. I will leave that now. I've gone over my time. Thank you.

**The Vice-Chair:** Thank you very much, Mrs Klug, and also to you, Reeve Reid. We don't have any time for any questions or comments because we're exactly at a half-hour. To be fair to the others, we have to continue. Thank you for two very interesting presentations, and I'm sure the members of the committee will read the presentations in their entirety.

RICHARD STAPLES

**The Vice-Chair:** Next we have Richard Staples. Welcome to our hearings, sir. Your brief has been handed out to everyone and we look forward to your presentation.

**Dr Richard Staples:** Mr Chairman, members of the provincial Parliament, ladies and gentlemen, my presentation this afternoon will be as follows. What I'd like to do is read into the record the short memo report I have written to the standing committee on social development, which I think will take about 10 or 12 minutes, thereabouts, and then I would welcome questions from the committee as a whole as to my report or to discuss other issues related to Bill 34.

I'd ask you to have a look, first of all, at this memo report and detach the two appendices with the report. You might find the covers interesting as we go through this, the one of which is the province of Ontario. It shows all the community colleges, among other things, and represents the extent of the issue before us today with Bill 34 in that it really is a pivotal point in time for the educational system right across the province, involving millions of people.

My report today will try to focus on one central issue which I think is really critical in terms of Bill 34 if there are to be any further revisions to it, and that has to do with having some sort of audit of quality of education and what that might mean.

The cover on the other appendix shows one of either of the following. It would show, let's say, a hypothetical representation of what a student is going through in a community college or it could show a hypothetical representation of what a teacher's involved with. Part of my remarks this afternoon will be about the social systems relating to schools and how social systems models and those theories might be applied by the Minister of Education and Training within the context of Bill 34, just the sheer complexity of the educational system itself and all its internal and external environments.

I'll read into the record, to start with, my memo report to the standing committee on social development, the subject being Bill 34, An Act to amend the Education Act, which I have a copy of here and which I've read.

The summary of my report: The provincial government's toolkit or Bill 34 education amendment needs a concise and expanded set of operating instructions. Such an expanded toolkit manual would be useful. It would ensure that all educational participants would understand exactly how students, teachers, parents, high school dropouts, school boards, municipalities, hospitals, universities, colleges and other prescribed persons or organizations are all going to pursue cooperatively their lifelong learning and training objectives and gauge the worth of their quality in education efforts.

This report recommends that the minister's Bill 34 toolkit should include, along with its section 8 financial statements and cooperative measures reports, an annual teaching effectiveness, learning efficiency and student satisfaction audit. Such an official examination on a province-wide report basis would provide a quality of education bottom-line perspective to Bill 34's "financially satisfied" statements.

**Introduction:** The findings in my report originate from the classroom perspectives of my 13 years of teaching and guidance counselling in Ontario's public and secondary schools in Peterborough and Toronto as well as my teaching of communications subjects for 22 years at Confederation community college. I also worked as an academic adviser for six years in Confederation College's in-service teaching training program for Ontario's community college teachers.

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The case for a classroom audit of quality programming: A frequent criticism of Bill 34 is that its savings measures will hurt students in their classrooms. Liberal education critic Richard Patten notes:

"These cuts are not about enhancing education, they are about funding a tax rebate....This short-sighted approach to fiscal management will lead to a reduction in the quality of education for Ontario's school children....It is not possible to make further cuts without affecting the quality of teaching in the classroom. We will definitely see more unemployed teachers, losing the youngest teachers from the system. More classroom portables, increased class sizes and fewer new teachers in the system signal bleak days ahead for education in Ontario."

Patten makes some strong statements that Bill 34 needs to address directly. The Bill 34 amendment and the minister's accompanying savings in education memorandum do not include any mention of how the minister and the government will both assess and evaluate how well "quality (in education) programs are maintained as we bring our costs into line with those of other provinces and deal with the provincial deficit."

Significantly, Bill 34 does not include any mention of a province-wide teacher's classroom effectiveness audit, which would address Patten's quality in education concerns. This appears to be a serious omission unless the minister and the government are content to let their pursuit of quality programming rest entirely on purely financial efficiencies documented by financial statements of the board and a copy of the cooperative measures report, as section 8 of Bill 34 outlines.

If the need to maintain and improve quality programming inside the classroom really remains an essential

educational bottom-line issue, as the minister has stated, this report recommends that the Bill 34 toolkit include an educational effectiveness timing light, if you want to call it that.

A timely teaching effectiveness audit could serve to monitor, assess and evaluate the ongoing operational success of the Bill 34 toolkit in quality of education terms. Its educational, inside-the-classroom, societal purpose would be ninefold: (1) to improve the learning, (2) enthusiasm, (3) classroom organization, (4) group interaction, (5) teacher's rapport with each individual student, (6) breadth of instruction, (7) examination, (8) assignments given, and (9) overall educational quality within the classrooms of Ontario's schools. In effect, the inclusion of a teaching effectiveness audit would walk the quality of education talk espoused in the minister's savings strategy but which is unaccounted for due to Bill 34's omission of any ongoing inside-the-classroom quality of education audit.

The existing research literature, written by Feldman, Cashin, Marsh and other authors, could well provide a reasoned and non-threatening multidimensional model for assessing and evaluating the continuance of quality programming inside the classroom. The minister has the opportunity to implement a province-wide teacher's classroom effectiveness audit which would address directly Patten's quality in education concerns for Ontario.

An annual province-wide teaching effectiveness, learning efficiency and student satisfaction audit could be conducted by Ontario's school boards and given to the minister along with the board's annual financial statements and co-operative agreements. As to the practicality of conducting such a province-wide teaching effectiveness, learning efficiency and student satisfaction audit, the standing committee could review a study entitled the *Relationship of Attitudes, Perceptions and Practices of Students and Teachers as Evaluators of Educational Quality*, in Ontario's 22 colleges. For that, you could see appendix A, which you have.

Bill 34 could assign clearly a legislated importance to tracking and evaluating commonly understood instructional dimensions that serve to maintain and improve quality of education programming. Marsh's 1982 *Students' Evaluation of Educational Quality* could be used province-wide. If you look at appendix B, part 3 shows Marsh's *Students Evaluation of Educational Quality*, which could be used for a quality in education audit.

**Conclusions:** The people of Ontario are faced with the crowded classroom of 1996 where innovation is the key to success. All interest groups have much at stake as schools cope with a growing number of increasingly troubled kids.

There is a broad and well-researched theory base in the educational research literature for the minister to implement an annual teaching effectiveness, learning efficiency and student satisfaction audit on a province-wide report basis. Such an annual report could add a quality of education bottom-line perspective to Bill 34's "financially satisfied" statements.

My recommendation to the committee is that the revised version of Bill 34 include a legislated provision for a quality of classroom education audit based on a



multidimensional model of teacher effectiveness, learning efficiency and student satisfaction in Ontario's schools.

That pretty well concludes my report's overview, and I would invite the committee to ask me any questions they might have about what I've said so far or any documents I've provided to you about the possibility of a quality of education audit province-wide that would accompany the financial statements and the \$400-million savings strategy.

**Mr Skarica:** I'm interested in your observations regarding audits. Just before left Toronto, the newspapers reported on an audit done of the Roman Catholic board in Metro Toronto. The findings were very disturbing in that they concluded that the right hand didn't know what the left hand was doing. The trustees apparently had no idea of what was going on within the school board. They were informed at some point that they just weren't getting the right information or misinformation. They just hired 70 teachers and then they found out they had a \$10-million deficit. Is that situation common in school boards in the province, and do you feel that audits would help alleviate that situation where it exists?

**Dr Staples:** If I understand your question, it seems like the trustees weren't really walking around enough to reconnoitre their own educational territory. I haven't read the Globe article today, but it sounds like they were out of touch.

My own perspective on this in terms of boards: When I went to the University of Texas at Austin I was impressed with the way boards in the United States, at both the public secondary or college level, knew what was happening within their institutions and they were very publicly accountable to the people, if that answers your question. The one you related to me seems like they were really out of touch.

**Mr Skarica:** Another area where I have concern — maybe it relates to the presentation we heard just before yours — is that we pay approximately \$950 million a year for school board administration and we're finding out now that there's unfunded liability for retirement gratuities somewhere in the area of perhaps \$10 billion, we've heard. I've gone through the ministry figures and we have that the boards in Ontario have set aside collectively maybe \$100 million, so one cent for every 100 cents of liability has been set aside. Would an audit catch that type of thing in the early stages? This appears to have been building up for the last 20 years.

**Dr Staples:** It sounds like the Canada pension plan hearings from a month or so ago. The financial responsibility is clearly there. I don't really have any answer to your question or comment on it, other than to say that people must understand what's happening with the financial situation as they go along; they can't just wake up later. The unfunded liability of the plan is a for instance.

**Mr Skarica:** You referred to a number of authors in your report, and on page 2 you're referring to an author named Patten, 1996. Do you have that book with you?

**Dr Staples:** Patten is the Liberal education critic. I don't know if he's written any books, but he had a pretty sharp critique in March, his press release. That's a direct quote from his press release.

**Mrs McLeod:** The book will come after.

**Dr Staples:** He may autopsy it for you.

1350

**Mr Patten:** Dr Staples, it's a pleasure to meet you. We have never met before. I appreciate your comments because I share the belief that the bill is incomplete but that the impact of this bill will seriously affect the quality of education.

Have you had a chance to see Bill 30? That was the Education Quality and Accountability Office that was set up. It hasn't come to third reading; it's in process right now.

**Dr Staples:** No, I haven't read that.

**Mr Patten:** I would think they would be the people who will be managing the province-wide testing, evaluation of the educational programs etc. I like what you have to say here; I believe it's an important measure, and I would be happy to facilitate a meeting with those people in terms of your recommendations and suggestions. There's a report from them that we'd be happy to share with you as well.

**Dr Staples:** Thank you. I'd be pleased to meet with them at your suggestion, sir.

**Mrs McLeod:** Richard, clearly the kind of audit you were talking about is not a financial audit or an operational audit; it's an effectiveness of education in the classroom audit.

**Dr Staples:** That's right, Mrs McLeod. I feel that this type of audit is conspicuously absent from Bill 34 in the sense that the financial efficiencies are being sought out, the cooperative agreements are being read, but the minister has mentioned many times in his documents surrounding the letter of memorandum about Bill 34 about quality programming inside the classroom. My question to this committee is, how is Bill 34 actually going to monitor, assess and evaluate how quality program is being maintained?

It's like the Ford Motor Co where here in Thunder Bay a year ago all the Crown Victorias were turned in because, although "Quality Is Job One," all these cruisers showed up with defective steering that killed one or two policemen. A year later, the bugs have been worked out, the local police force is again buying Crown Victorias, and we're all assured: "These are wonderful cars. They'll steer well this time."

How is Bill 34 going to get it right the first time versus, "There's time to do it right, there's time to do it over"? How is it going to monitor quality of education within all of Ontario's classrooms? That's my question.

**Mr Gravelle:** Richard, it's good to see you. I'm glad you were able to get on the list, because I know you very much wanted to make it on the list for Bill 26. You presented a written presentation.

**Dr Staples:** Could I put a plug in here that I still haven't heard back from my January report to that committee on Bill 26? I still have never received any written acknowledgement. I know it's a little late in the term for papers, but it is mid-May now and hopefully there'll be something forthcoming soon.

**Mr Gravelle:** That's really why I brought it up. I know you were hoping to get a response back from the government in terms of your presentation and I hope it

still comes forward. Mr Patten pointed out that it would be interesting, and perhaps I can pass it to you as well, to get you a copy of Bill 30, which we've also been studying in committee for a couple of weeks. A lot of the things you're commenting on here probably would be fairly relevant to Bill 30. Afterwards I'll make sure we get together to talk about that. But I'm grateful and glad that you managed to get on the list this time around.

**Dr Staples:** Thanks, Mr Gravelle.

**The Vice-Chair:** By way of a point of information, I understand that when a written presentation is made to a standing committee, the standing committee as such does not respond to it. An individual member on that committee or an individual member of the House may very well respond to it and some of the recommendations may be contained in a later report. I just didn't want you to think you may be getting something back from a committee, which I don't think is so.

**Mr Gravelle:** Could I clarify too? We made a specific request to the Chair of the committee to respond on behalf of Dr Staples. We're still hoping there will be some response.

**Mr Wildman:** Thank you for your presentation. As Mrs McLeod indicated, unlike Mr Skarica, I interpreted your recommendation to be an educational effectiveness audit in classrooms as opposed to a financial audit of the operations of various boards.

**Dr Staples:** That's exactly right.

**Mr Wildman:** You've referred to a number of studies here and to one that was done in the community colleges. Could you expand on that a little as to how such an audit might work? Are you talking about what used to be called in the old days an inspectorate type of inspection system with reports? Are you talking about a one-shot deal or an ongoing audit every so many years? What exactly might the logistics be of such an audit? I'm interested in your proposal.

**Mr Staples:** I'll attempt to answer your question by saying that in the case of the one study of my own that I conducted in 22 of Ontario's colleges, which I've passed out to you, I was able, as an individual researcher, to do an ideal teacher audit, if you want to call it that, of 120 teachers across Ontario with 1,000 or more of their students. I did it primarily by using appendix B, the instrument you've got there. It was in three parts; it took the classes I did my research with something like 20 or 25 minutes to fill this form out. From that I got back a couple of estimations, one of which was how the teachers compared with the students' ideal teacher, how they more or less ranked or rated, or whether the students' expectations for the ideal teacher were higher than what the teachers were and so on.

If the minister did this audit, you might take a representative random sample of a lot of the teachers across the public and secondary school systems right across the province. You'd take a representative sample, and by using an instrument like Marsh's Students' Evaluation of Educational Quality and having students rate their teachers on nine dimensions of teaching, the minister and the Ministry of Education and Training would get a good understanding of how quality of education is being maintained and enhanced in the classrooms of Ontario.

For instance, it would be interesting to take a baseline measurement now before this \$400-million savings strategy is implemented. What's our quality of education, bottom line, across the province now in representative terms? How does that compare with what it's going to look like a year, two, three years from now?

On the front page of Maclean's magazine this week we've got "Brave New Schools." From my perspective, ladies and gentlemen, in education bravery is not enough. There has to be sufficient planning to assess and evaluate quality of education, and that has to start now or whenever the minister deems it a priority within the context of Bill 34.

**Mr Wildman:** I suppose the reference in that title is to Aldous Huxley, and I would suspect —

**Dr Staples:** Brave New World?

**Mr Wildman:** Yes, and perhaps Mr Snobelen should take very seriously what Aldous Huxley had to say about the brave new world.

**The Vice-Chair:** Thank you very much, Mr Staples. It's always nice to meet another Queen's grad, because it gives me a moment to talk about the beautiful city of Kingston and that people should come and visit it as often as they can. We get that into the record at least once a day.

#### ONTARIO SECONDARY SCHOOL PRINCIPALS' COUNCIL, DISTRICTS 28 AND 29 — OSSTF

**The Vice-Chair:** The next presentation is by the Ontario Secondary School Principals' Council, districts 28 and 29. I believe that Brian McKinnon, the first vice-chair, and Laurie Tulloch, the principal at Northwood High School, are going to make the presentation. Gentlemen, welcome.

**Mr Laurie Tulloch:** I'm Laurie Tulloch, the principal of Northwood High School and Green Acres Alternative School. We're responsible for alternative education of pupils in the Lakehead Board of Education.

1400

Brian McKinnon is with me today, and he is the vice-principal at the school, my good right hand, or I guess today my good left hand. He is also the provincial first vice-chair of the Ontario Secondary School Principals' Council and someone I rely on a great deal in my day-to-day work. Mr Rick Victor, the principal of Dryden High School, had hoped to be with us today and was unable to make the journey from Dryden. However, we have some written comments from him that Mr McKinnon will speak about shortly.

While we have a great interest in the whole of Bill 34, we're here really today to speak to you about the adult education components and the effects that we see coming on alternative education. I'll ask Mr McKinnon to start.

**Mr Brian McKinnon:** I assume you have the reports in front of you. I'm not going to read from them word by word. I know most of you probably can read, so I won't do that. I won't insult you.

**Mr Patten:** Don't make any assumptions.

**Mr McKinnon:** I was looking at Michael when I said that, so —

*Interjections.*



**Mr McKinnon:** All these people can read. Okay.

**Interjection:** As long as they're one-syllable words.

**Mr McKinnon:** You all went to JK over here, right?

**Mr Gilchrist:** None of us did. It's a miracle we made it this far.

**Mr McKinnon:** The area entitled "Whither Adult Education" — I'm afraid that's an English phrase; my background is showing a little bit. That means, what place does adult education have in our education system?

We've written some points down there. I will quickly review them, if you will bear with me. Under the circled left bullets, "Why is the existing organization of adult day school working so well?" and what we mean by that is we presently have, or have had anyway, an organization where adults were able to attend day school in the same form that an adolescent was able to.

There are a number of reasons why an adult would have left school, for example, a female adolescent may have become pregnant and was forced to leave school for a variety of reasons, most of them personal; and others who had to leave for any number of reasons, who have decided at some further time in their lives to upgrade, to continue their education, to improve themselves — any number of reasons. We've welcomed them into our day schools, and over the years that particular process has worked exceedingly well. Statistics and data and research prove that over and over and over. The bullets that you see there are just reminding you that this indeed is the case.

For example, the established level and standard of education recognized in Ontario. Somewhere in the report, I've written that the OSSD is probably one of the finest diplomas a person can receive in — I'd like to say the world, but certainly in Canada. It is sought after. Our curriculum is always "borrowed" by other jurisdictions in the world. I know of a principal friend of mine who just took a post in Hong Kong, and she is taking with her, at their urging, much of the curriculum from Ontario schools, because it's the best there is, according to them over there. So it is established and always admired by outside agencies.

There is the accountability of day school, which may be missing in some of the other organizations which exist. Our big concern, of course, is the privatization which may occur. Who is going to be monitoring that? Who is going to monitor the credit that is gained? Is it going to be something found out 10 years later where we have ineffective graduates who are out there in jobs not doing a very good job because their training was not very solid?

Numbers 3 and 4 are a little different, but certainly number 4 — if you will look at the words in the middle which I've put in quotation marks, "full disclosure." Universities in Ontario now are just about all asking for full disclosure on high school graduates' transcripts. That is a concern to us. Why are they doing that? Obviously, it's to test the validity of what these students are coming out with. Are the credits that they have obtained valid credits? That's why they're asking for this information.

Number 5 talks about the OSSD for the adult students being attained probably in the shortest possible way through granting of maturity credits and the fact that a

student can take eight credits in a year. Most of these people are looking for an expeditious way to get their OSSD without tainting the quality of the diploma. Certainly, there's no question that the day school was able to provide that. The rest I think you can touch on yourselves.

On the next page we talk about the strength of the adult day school program. It's reiterating a few of the things, but more specifically, having talked to scores of adults myself — and I know Laurie can back this up as well — what are the things they like about the day school program? Well, it's the things like the required discipline of regular attendance; they like that. They like the regular daily teacher contact, the regular accountability through formative evaluation, ongoing testing, and showing that yes, they are achieving at the level they should be at this point, and so on. Adults need that. They have told us that. It's not so simple as simply taking courses home through the old correspondence mode and sending that material in and getting it marked. They feel they're not getting the education they should be for the jobs that most of them hopefully will be getting.

That leads to the other three bullets, one talking about cooperative education business partnerships. That's a critical area of day school now. They have bought into that very strongly. That probably is one of the most important links we have for adults to the work world and the workplace. Many of them take those particular disciplines.

The school counselling services that are available: Many of these adults, remember, are people who have had a disadvantaged background, they've had trouble in school, any number of things have happened to them in the past, and they need help. They are, for the most part, like you and I. Most of us probably came from backgrounds that were fairly stable; two parents maybe. Most of you probably have gone to a university of some sort or another, so you have the wherewithal to deal with life's daily exigencies. Most of these people do not. That's historical and research is supporting that. They need the help offered by school counselling services and things such as pre-employment skills, because most of these adults are there for employment purposes only — just about all of them. Help them get a job is what they come to us and say, and we will do that by offering them some of those skills.

Of course, the third bullet is talking about the practical courses, which I think is self-evident.

**Mr Tulloch:** Dealing with students on a daily basis, with adolescents who have concerns, is something that we do as a natural matter of course. We deal with parents and we deal with the community and we deal with those students and we try to help them on as best we can.

One of the most traumatic things that a principal does, however, is to deal with the adult student who comes into your office in tears, who needs to get back into school, who suddenly recognizes, after many years of being out — whether that's one or two or five or 10, whatever — that life is filled with all kinds of obstacles: It's filled with unemployment, it's filled with career changes, it's filled with being locked into position within corporations and within business because one doesn't hold the piece of paper one needs as the filter to go on.

It certainly is the kind of thing that interested me once I became a secondary school administrator to try and find ways of dealing with the trauma these people were going through and to try to help them to become more productive. Much of it has to do with the self-image of the adult. It doesn't have so much to do with whether they could do the work or not; it has to do with whether they think they can do the work, whether they think they can fit in. The role of the adult educators is to ensure that happens.

1410

I once had occasion some years ago, at a school that is now closed — I'm a guy who goes around closing schools, I think; I'm about to close another one. At a school I was at, an adult program that we had centred on computer studies. We had students going on to the grade 12 level in computer science. We didn't have enough adults in the school to generate a full class. We knew that the following year we wouldn't have sufficient adults, but we knew we had some who had a really strong interest in the area. We also knew that our school population was declining in enrolment; exactly the same thing was happening. We couldn't justify a grade 12 class in computers for the regular day school, so we said: "Aha, the solution is to meld the two classes. We'll have enough students. We can have the program that we need."

When I suggested that to my head of student services at the time, she said, "I think maybe you want to go down and talk to the adults about that." I went down and I talked to the adult class and they all said, "That's interesting" and "We think that you should" and "We think that it's necessary to have the class." As I left, one of the more senior ladies in the class took me aside and said: "Mr Tulloch, I think you have to do what you have to do, and that's your responsibility as a principal. However, I want you to know that there probably won't be any adults in the class." I said I didn't get that message when I was in there and they said: "They would never do that to you because you're absolutely right in what you have to do. The fact of the matter is that we can never feel the security that we need to go into a class of adolescents and to try to compete with those young people. What will happen will be that we will select other courses where we can be with adults."

That tragedy I think is one that we're hoping to avoid.

The barriers to success, the self-esteem of these young people, their fear of failure — they've been through failures after failures in their lives and it's up to us to change that mentality to find success for those young people.

We can go through the myriad reasons why students in alternative and adult education need support. However, I think it's sufficient to say that it ranges anywhere from child care to inadequate housing to parental abuse to streetwalkers to you name it, and we're trying to get them to understand the benefits of education, to maintain their contact with education and to proceed through day school.

We think there are obviously some alternatives to a day school operation. The alternatives are in continuing education. The alternatives are in private schools of one

kind and another. We happen to believe that the most effective way of dealing with adults is through the regular day school program. We think we have a higher retention rate and that we work a lot more closely with the students, given that we have individuals who have devoted their careers and treat the situation in a career manner, and they are well trained in the process.

I have a sheet of paper in front of me that describes some of the students from one of our programs, which is "Mothers in Search of Learning." They're all single moms who range in age anywhere I guess from about 19 to about 40, who avail themselves of a program that we have. There are probably about 30 of them. They're all on social assistance and every one of them is desperate to get off social assistance. In 1992-93, eight of them went off to Confederation College. Some of them made the dean's list the next year. In 1993-94, we look at the numbers that went on to college and there were probably slightly less than the eight who went off to college, but two went on to university, four went on to college and the remaining five went off to employment and they were employable and they had the skills that were necessary. I could go on and describe last year's and what we anticipate with this year's group.

I guess what I'm saying is, this program in the fashion that it is and the support that we're able to give it through the Lakehead Board of Education probably can't exist in the future, given the funding barriers we're coming up against. We know that our board doesn't have sufficient funds. We're not talking about a whole lot of money, but every board I think across the province is looking at how it's going to squeeze out the savings it needs to make. We do that in schools on a daily basis and everybody is trying very hard to do that. On the other hand, we're afraid that we're going to disenfranchise some young people and that's our concern.

I have another concern that I want to address for just a moment and that has to do with clause 49(2)(b). I guess we've been struggling with trying to figure out what it means. I've been in this profession for about 30 years and I looked at that and I read it and I've shared it with colleagues and we don't understand it. It would be really good if somebody could explain it to us. This is the section that says, "a person who did not attend secondary school for a total of four or more school years beginning after the end of the calendar year in which the person attained the age of 16 years;" and I don't know what that means. I'd like to know what it means, but I don't. There aren't any comments in there to tell us and so I think it presents a bit of a problem in interpretation and probably needs to be cleaned up in the process.

**Mr McKinnon:** I'm sensing that you want to get at us here.

**The Vice-Chair:** No, maybe it's the other way around.

**Mr McKinnon:** There is the whole section on the effects of Bill 34 on small northern communities and single-school towns. That section was written by Rick Victor, who is the principal of Dryden High School. There are a couple of areas that are quite interesting. I'm sure you have heard what the impact is in small towns and what particularly you're faced with, with a single-school town where you have a number of adults who



wish to upgrade or that paper mill has said, "All right, we'll give you this job, but you have to have your grade 12 diploma." So this person may only have grade 10 and has to get back to school and get his or her diploma quickly. The job is sort of in the balance and most companies will wait a little while, saying, "Well yes, you're working on it so we will allow you a certain period of time."

Rick has pointed out that Bill 34 is essentially blocking that avenue for these people because the funding, as Laurie said, is one of the things that is going to be cut first. It's not one of the compulsory things that a board must carry.

There's another interesting little note here, in the third paragraph, talking about the negative impact on day school students if the adults all leave the day school in a small town. That is, you simply decrease the number of bodies in the school. Therefore, by declension you've decreased the number of options available and therefore, day school students are being quite negatively impacted by the adults leaving. He has said that to me over and over in our discussions in the recent past.

Of course, the fourth paragraph and so on talks about, yes there are options, but they aren't necessarily valid for a small town, such as night school. There wouldn't be the numbers. Distance ed: It's too long a process for most of these people and the interaction is not there. Go back to what I said earlier about adults needing encouragement, needing the contact, needing the formative evaluation and the fact that private enterprise might come into the town — unlikely. There simply aren't the numbers there to have those people show up in town, set up a shop and say, "All right, come and buy our courses." First off, it's too expensive; these are the people who need the help in the first place. So those issues are really, really having an impact, it's already started, on those single-school towns. In district 28, which is west of Atikokan and onwards, every one of them is a single-school town and so there are no options for those people. Do you want to conclude?

1420

**The Vice-Chair:** Thank you very much. We have a little bit more than three minutes left for each caucus and we start with the Liberal caucus.

**Mrs McLeod:** I just have one example of that particular clause that you asked about which causes me some concern, and if we could get some clarification that this isn't what's intended, I will appreciate it, too. The example was: A teenager, aged 16, gets pregnant, leaves school, has not been in high school for four years, tries to return at the age of 17 after the baby is born and is denied admission to school on that basis. It's just horrendous to think that could be the implication, so I hope we do get some clarification.

Having said that, I want to use our time to ask you some more questions about, what's the alternative for the students you now deal with if we can't continue with the adult education day school program? Some suggestions have been college. Colleges aren't mandated to do this yet. They've just faced millions of dollars in cuts themselves. They would have to significantly increase tuition,

so I'm not sure the students you deal with could afford the college tuition even if the college could do it.

Brian mentioned the private sector coming in. Again, this isn't an area they've been involved in. Where they have been involved in training programs, in my experience, there are two things they do: one is charge a very large fee in order to make a degree of profit in offering a training program. They justify this by saying, "We'll condense the program so that if you pay the money, you'll get into the work world faster and therefore, you can afford the large fee." I guess I'm interested in your thoughts on, are any of those possible solutions an alternative to what you're doing now?

**Mr Tulloch:** It's my belief, having worked in the area for some time, that the full-time day school program is the one that leads to the greatest success and leads to the least amount of dropouts. Any time that you have a dropout in education, in schools, you have a cost that can't be recovered. I guess it's difficult to put our fingers on that all the time, but it's certainly a major undertaking.

I don't see that alternative. The continuing education program, as far as school boards are concerned, is to some degree an alternative, but the funding on continuing education does not allow you the ability to provide the kinds of programs these people need. They don't need straight academic programs. Many of them want to go out to work. They need employability skills. They need the food service program that we have at the school to work in the hospitality trade. They need training in a variety of shop areas in order to go out and work in the custodial field. They need skill-driven kinds of opportunities and I just don't see continuing education being able to provide, other than the straight academic programming, that these young people need.

**Mr Patten:** First of all, I want to commend you on your articulateness and the clarity by which you've presented your case. I think it's excellent and will be useful.

My question is similar to Lyn's question and that is, the suggestion that the continuing education courses in and of themselves will be the option is what is provided as the educational rationale. But of course, that's not really the rationale; the rationale is to find money. In terms of this, there will be considerable human costs, as you've pointed out. When you weigh that over and against the apparent short-term savings, does that make sense?

**Mr Tulloch:** No, I would say over and over again that I think that's a short way of looking at it and it's the short-term way of saving money, but if we do that at the cost of people not proceeding on with their education, not proceeding on with lifelong learning, then in the final analysis they become a drain on society because they don't have the skills to do the kinds of things that are necessary. They become the mid-40s unemployables. They don't have the education. They don't have the experience to fall back on and as a result they fall by the wayside and they become the people who visit our social service network on a regular basis. We're in the business of trying to get them off those rolls.

**Mr Wildman:** I want to commend you for that. The example you mentioned about the mothers' program, that

is exactly what I think all of us want, young single mothers, as an example, people who are dependent on social assistance, who are able to get the skills they require in order to be able to provide for themselves and their families and be contributing members of society.

One of the educational rationales, if not excuse, that is used for saying we don't need adults in the day program and that they could attend the continuing ed program as an alternative is that because they are adults, mature people, they don't need the kind of supports and assistance and control and discipline that adolescents require. It seems to me that you're saying the exact opposite is the case. Because of problems of low self-esteem, for instance, these people need additional supports, not less, and that they find themselves at a disadvantage when competing with adolescents. Could you expand on that?

**Mr McKinnon:** As indicated, I've talked to literally hundreds of them, as a night school principal and being in our alternative school and so on. They will say over and over that they need that perhaps more than they ever did in their lives before, because they are fragile people, generally speaking they are; there are exceptions. But they need the discipline. They've come from backgrounds which have not afforded that. It's over and over that they will say: "Day school program is the most successful program that we can have. Continuing ed and correspondence will not do it for us. We will drop out." They've said that to me personally and I've seen evidence of it with a person who has had to, for example, take whatever job he or she has in the daytime and they've had to take night courses or correspondence and have not been successful.

**Mr Wildman:** As an MPP who represents a large area of northern Ontario with many, many small towns and single-school towns, I take your colleague's written presentation very seriously, because there you don't have the alternative of a community college, you don't have private programs and you probably don't have enough people for continuing education programs or night school programs. The only option for adults in those communities is to be able to enter a day program in the high school, and if they can't get that, then they're going to have to go to great expense to leave town and that's probably not an option for many of them. I think this is one of the most important presentations we've received in terms of what it means in northern Ontario, and while I recognize the importance of what you've had to say about Thunder Bay, I think this is really crucial and I appreciate the fact that your colleague presented it to the committee.

**Mr Newman:** You're speaking about single-school towns. Does that mean a single school in the public system or —

**Mr McKinnon:** Usually it's one school for the whole town.

**Mr Wildman:** Hornepayne has one high school and they have two elementary, one Catholic and one public.

**Mr Newman:** I guess then, I'm just going to ask a question generally so it wouldn't pertain to your specific community. Could savings be found by having one school board, either the separate or the public school board, provide adult education in communities where

there are two high schools? Could savings possibly be found there?

**Mr Tulloch:** Sure. The cooperative nature of programming is always there. Because we happen to be the larger of the two boards, many of the programs that we run are the only programs that are run in the city now. The MISOL program, there are a number of students who have been former students of the separate board who have been involved in that program. I think those kinds of things in cities even as large as Thunder Bay have been happening for years. It's not that we actively went out and said, "Let's have a cooperative venture here."

**Mr Newman:** That may be the case here in Thunder Bay, but perhaps in other areas where it hasn't been happening, is this something they should be looking at?

**Mr Tulloch:** Sure, absolutely.

**Mr Newman:** For the sake of adults and so it's not —

**Mr Tulloch:** That's right.

**Mr Skarica:** Thank you very much, gentlemen. I also found your presentation very, very informative. I'm disappointed that Mr Victor wasn't here. Given his location, he could have provided the Conservative caucus with written directions to Dryden, thereby dispelling a notion we can't read and don't know our geography.

I don't know if you're familiar with a new initiative by the government called the GED.

1430

**Mr McKinnon:** Yes.

**Mr Skarica:** All right. We heard from representatives in Windsor and Ottawa that they felt that perhaps 10% of the students could avail themselves of that program and not have to take any adult education at all and would thereby get the high school certificate they need. Would that apply in northern Ontario, or what do you think?

**Mr McKinnon:** It would to some degree, except again there's a fairly substantial cost associated with the GED. Again, we're talking about people who have limited resources in most cases. I'm not saying that some couldn't afford it; probably they could if it meant, for example, getting a diploma. That's all well and good, but I go back to, what does the diploma represent? I think we cannot lose sight of that fact. That is a very powerful piece of paper and if it loses its validity — and that's our fear. That's the basis of our presentation here, and I'll be honest about that. I think if we lose the validity of the OSSD — I'm not saying the GED would necessarily do that, but I've seen the papers and I've seen the procedures and the tests and, yes, I think you could train someone to prepare for the GED and get an equivalent paper. I've seen the equivalency diploma as well. I'm just fearful of that.

**Mr Tulloch:** If I could just add, I'm not sure how the GED assesses a student on the basis of their self-esteem, their fear of failure, all of those kinds of issues they have to deal with in their lives that the programs in day school do for them. It's the kind of things that are done for adolescents on a daily basis. Not everything that they are going to be exposed to, that we are going to expect of them, is going to be the kind of thing that we're going to test on at the end of the school year or that Jim Green is going to help us with, with the accountability initiatives. My belief is that's been a long time coming and we



welcome those initiatives. However, how do you bring people to the point where they're going to be productive? I'm not sure the GED answers that.

**The Vice-Chair:** Just for the benefit of Hansard, "GED" stands for general equivalency diploma?

**Mr McKinnon:** General education.

**Mr Wildman:** Just as a point of information for Mr Newman and other members of the committee, only two separate boards in northwestern Ontario have extended programs to high school: the Thunder Bay separate board and the Kenora board. All the rest, the separate programs are only elementary and there's only one high school, a public high school, in the community.

**Mrs McLeod:** Might I also ask if legislative research might provide for the committee's information a report that is available and I know has been presented to the Minister of Education on the cooperative services area board. Given the interest that members have expressed in cooperation between the boards, they would be interested in knowing that the smaller boards in northwestern Ontario have a rather unique model in which public and separate boards have come together in order to share their administrative services as well as any additional support services the schools need. I know they are most anxious that the government be aware of this innovative model and I think it would be helpful to the committee to have the information on that board tabled for their information.

**The Vice-Chair:** We can certainly have it distributed to the members of the committee.

**Mrs McLeod:** It will be available from Mr Fred Porter, who is the director of that board; also from the ministry, I'm sure.

**The Vice-Chair:** Thank you very much, and thank you for a very interesting presentation.

JACKIE METHOT  
SUSAN GLIDDON

**The Vice-Chair:** Next we have Jackie Methot and Susan Gliddon. Welcome to our hearing. You have 30 minutes for your combined presentation, including any questions and answers. Would you identify yourself as you're speaking so that Hansard can properly record it.

**Mrs Jackie Methot:** Hi. My name is Jackie Methot and I am here to speak as a concerned parent. I guess I'll just read it.

As a citizen of Ontario, a taxpayer and a mother of two children, I am very concerned over the tax cuts being made to the education system, particularly the special education programs. I realize the desperate need to cut spending in order to help lower the deficit, but we must set our priorities. Our children are the future.

The dictionary defines special education as: "special" — beyond the usual, individual, distinct and limited; "education" — providing schooling, training mentally and morally. How does our government define special education?

According to the Ministry of Education and Training's key statistics, 1992-93, there are at least 105,000 elementary and 60,000 secondary students in Ontario who have special needs. Tell me please that cutting costs in the education budget isn't going to affect the growth and development of my child.

Already my son has been touched personally by the education cuts. Cory is a 10-year-old boy who has a medical condition called attention deficit hyperactivity disorder and oppositional defiance disorder. ADHD is researched as a chemical imbalance in the brain. Not enough is known about this condition, only that it does exist. Children with ADHD have a problem with short attention spans, impulsiveness, hyperactivity and inability to follow social conduct. These are only a few of the symptoms of the disorder.

As a result of these disabilities, it is extremely difficult for Cory to cope in the mainstream of the school. Since Cory first began school in junior kindergarten, there have been a lot of frustrations in dealing with his condition, not only in his schooling but in his day-to-day life. He attends a Catholic school now and a tremendous effort has been put forth by the staff and their resources in dealing with his special needs.

As a last resort to help our son, and with a lot of encouragement from many professionals in the health care field, we placed our child on a drug called Ritalin. We did not approve of using medications such as these, but in order for Cory to be able to attend school with what we hoped would be fewer problems, we proceeded with the treatment. Cory has been on this medication for about four years now, with some improvement, but not without some side-effects to his health, the worst being depression and the inability to eat. A joint decision between his physician and ourselves resulted in Cory being withdrawn from the medication.

We have had Cory to see more specialists than most adults have seen in their lifetime. For seven years we have been involved with the Lakehead Regional Family Centre. We have attended parenting courses and read more books on the subject than I care to mention. Cory has been assessed twice by professionals at the Winnipeg Health Sciences Centre.

James Arthur, a behavioural specialist with the separate school board, observed Cory in his school and stated in his consultation note: "In view of the severity of Cory's problems in spite of a great degree of school adjustment, medication, strong parental involvement and previous treatment through the Lakehead Regional Family Centre, it may be advisable to have him identified as an exceptional student through the IPRC process. Over his school career, he will likely need specific skill training and recognition for accomplishments."

An IPRC was held this year where Cory was officially identified as an exceptional student. During this meeting it was decided among us involved to enrol Cory in a special adjustment class held during the mornings, returning him to his regular class in the afternoons. In attending this class, funded by the separate school board, Cory is being taught basic language arts as well as mathematics, in which he is progressing quite nicely.

However, while this program is aiding in his ability to deal in a small, structured group, the steady, hectic pace of the larger classroom setting is a disaster. It is extremely hard and frustrating for a child with ADHD and ODD to cope with the transition from one subject to the next. Just going for recess is tremendously difficult for these children. This is why a smaller, more closely knit class

works best, but with more and more cuts to education, the classes are getting larger and larger.

**1440**

At the present time, Cory's principal feels they are unable to accommodate properly a child with the severity of his condition. The suggestion has been made that perhaps he should be removed from his afternoon class, returning home following the morning adjustment class, the reason being that they do not have the extra help to assist him.

I ask you, where does that leave my son? What kind of education are my child and others like him going to receive? What will become of these bright children who have the right, as any other child in Canada, to become the best they can be? Will they be forgotten or, worse yet, dismissed? These are the children who need your help the most.

Don't tell me that alienating Cory from school and sending him home to a day care is my only option. My husband and I both work very hard to make ends meet. Adding the extra burden of day care costs to our budget will make life even more difficult. One of us quitting our job to stay home with Cory is not an option. It has been suggested that the arrangement of mornings only may be carried out during the 1996-97 grade 5 school year as well, because there will no longer be a full-time principal on the premises to intervene.

As you can see, we are in a catch-22. We love our son more than life, but we are exhausted. I will not sit back and watch my son's chance at a full life be taken away. I feel I am fighting a losing battle. Please help me save what is left of our education system by not only listening, but acting. I am fighting for my son's future.

The letter I've just read is my personal story. I know there are a lot of other families who are in the same position as ours. Please think very carefully before any more cuts to education are made.

**The Vice-Chair:** Before we go on, just for the record, what is an IPRC?

**Mrs Methot:** I'm not sure exactly what —

**Mrs McLeod:** Identification and placement review committee.

**Mrs Methot:** Thank you.

**Mrs Susan Gliddon:** My name is Susan Gliddon. After listening to Jackie speak, I probably shouldn't be sitting up here, because I think she's probably said it all. We have a little bit different views on how our children should be educated. I don't have a formal presentation, because I learned of this very late; however, here I am.

I'm the mother of two children, one of whom has been labelled as multineeds. My son is nine years old. He's in an electric wheelchair and he creeps around on the floor to get around. He uses a Danavox, which is a computer, to speak. He also has to be clothed and fed etc, but he does understand and he is learning.

So far today I've heard a lot of federations speak. I don't want to talk about JK, sick leave or adult education. I appreciate the opportunity to speak, particularly in light of the fact that there have been very few opportunities given for people to speak.

I'm appalled at the steamroller manner in which the cuts to education have been made. Education does not

produce widgets, and it certainly deserves a bit more time and thought into the cutting of its funding before additional cuts are made.

My child and other special needs children have already been affected by cuts. Lakehead Board of Education's decision to reduce funding by \$200,000 may not seem like a lot, but it's already affecting a number of children, one of whom is mine, obviously, or I wouldn't be sitting here. I'm told the Lakehead board has been fiscally responsible. I hope that's true, but I hope the decision they made to cut this \$200,000 in their budget wasn't made lightly. I presume, because they went ahead and made it, that it had to be made because there were no other places to cut. I'm told that the Lakehead board and I believe the separate board are two of the most fiscally responsible in the province.

It really makes me angry that there hasn't been more local media attention or people just speaking up on their own to protest the cuts. We all know the budget is very large and it has to be reduced, but at the same time, let's cut the frills; let's not cut the basics. All kids deserve to have education no matter how they come into this world. Frills should be cut, but not basic education. Every child deserves the opportunity to learn.

Students earmarked to be moved back from integrated classes into segregated classrooms are not being treated the way I would want to be treated, or, I'm certain, your children and your grandchildren.

Cuts are hurting kids right now. I really fear for the fall when I believe \$6 million more is supposed to come from the Lakehead Board of Education's budget. I don't know where they're going to cut from. Kids requiring extra support, shoved back into segregated settings, are facing situations where they will be babysat. They will be taught life skills, if that; they will not be educated. So what we don't pay for now, we will be paying for dearly in the years to come.

I do hope that in upcoming budget deliberations, those of you who have chosen to be decision-makers, particularly with these education cuts, will really deliberate and ensure that, whatever cuts have to come, they come to the frills and not to the basics. Please ensure that kids who need the most support from us get it. I don't know if it was legal for people — I shouldn't say that — to make cuts to special ed. I presume it was or it wouldn't have been done, but I don't feel, at least for my son, that kids learn in isolation. I feel it's very important for my child to be out there, to be seen and discovered by other kids at a young age. You'd spend less money on cooperative education programs and kids would just learn naturally through association.

Both our kids have a lot to teach young ones, teachers and adults alike. It's very important they get out there in the education system and be seen and learn as much as they can learn. Budget cuts are important, but they're not everything; our kids are. Thanks for listening to me.

**Mr Wildman:** I want to thank you both for your presentations and the obvious emotion with which you expressed yourselves.

As you said, the cuts should not be to kids' education, they should be in frills. Obviously neither of you believes that providing proper supports and assistance in education



to your sons is providing frills but rather is providing for the needs of your children. Where I live in northern Ontario, kids with special needs are facing a significant cut in the number of teachers' aides, which is going to make it very difficult, with larger class sizes, for the teachers to provide for the needs of the kids, both those who have special needs and the other kids in the class, because the teacher's aide won't be there. What is being proposed is removing children back into segregated classrooms or even, in some cases, removing them and taking them home. I know that's what you were saying about Cory.

Could you give us some indication of what effect you think that would have on your son? You mentioned the drain on you and your husband and the financial problem you might face if day care were an option, but what does it mean for your son's progress if he is removed from the integrated system into a segregated classroom or even out of the system to going home?

**Mrs Methot:** I couldn't imagine what it would do to him, to be honest with you. He's a child who has been labelled all his life, has been different from everybody else all his life, has tried his hardest to have friends and acquire friends, but because of his difficulties he has a hard time with it. To be taken away — he has very low self-esteem right now, he thinks he's bad because he's being possibly taken out, he's suspended from school, more than you can imagine, because they don't have anybody in the classroom.

I just want to make one thing clear, though, in case anybody misunderstood me when I was reading this: I don't want my son in a segregated class, I want him in the regular classroom with the regular kids.

**Mr Wildman:** Yes, that's what I understood.

**Mrs Methot:** Unfortunately right now, the only option was to put him into an adjustment class, as they call it, and it is a segregated class —

**Mr Wildman:** For behavioural —

**Mrs Methot:** While he's working in it he's fantastic, he's excelling, he's flourishing, he's doing wonderfully. You put him in a class with 35 children and one teacher — maybe if all these MPPs here were to sit in on a class with a special-ed child and watch what a teacher goes through, with no extra help in the classroom, when she has 30-some-odd children in that classroom and a child who is acting out, who has no control over some of the things he does and says, who can't sit still for more than five minutes and can't pay attention, when she tries to explain to him how to do his math problem and he looks at her confused and she says, "I don't have time because I've got 30 other children I have to help here." Maybe if you sat in a classroom at that point and watched those kids and saw how hard it was for them and how hard it was for the teacher and for the other children in the classroom, you wouldn't be so quick to put the axe to some of the money you have out there. I'm sorry.

**Mr Wildman:** In terms of your son and the special needs he has, is it possible that he would be removed to a segregated classroom as opposed to the integrated situation?

**Mrs Gliddon:** My son has been integrated for five years and I've been told he's earmarked for a segregated class in Thunder Bay because our numbers are small. There's one designated area for multidisabled students, who are students with two, three or more disabilities, which he has. I visited that class on a couple of occasions, once before he entered the school system and about two weeks before I heard the decision that he was earmarked for that school. On both occasions I found it to be a very clean, bright school, but the children in the class are being babysat. I don't even know if they're being taught life skills. They're not being educated.

Every child with a physical disability, as I'm sure behavioural problem children and different disabilities, requires individual, specific care. My son has the capability to motor around on his own, speak with his computer, but to function he requires one-on-one support. It will not happen.

1450

**The Vice-Chair:** Thank you very much. I have four speakers and five minutes on the government side, so use your time wisely.

**Mr Pettit:** Thank you, ladies. Jackie, I'd like to start with you first. You indicate that Cory goes to a Catholic school now. Do I take that to mean that previously he was in the public system?

**Mrs Methot:** Yes, he was.

**Mr Pettit:** Why was he switched over?

**Mrs Methot:** At the time he was in the public system, because of these problems and difficulties at that point, they were not receptive to providing any extra help for Cory, they were not taking any of the recommendations of the specialists. Whether it be because they couldn't accommodate him or because they just didn't want to, I don't know. We switched him over to the Catholic system and they have been very helpful.

**Mr Pettit:** To your knowledge, are there any cooperative measures between the two boards vis-à-vis special education?

**Mrs Methot:** You mean do they combine resources? I'm not aware of that, no. I know they each have their own special-ed people.

**Mr Gilchrist:** Just following up on that — and I appreciate your having the courage to come down to a venue like this. I know it's very daunting to some people, but we appreciate your doing it. I want you to know many of us, if not all of us, have gone to local schools and seen exactly what you've suggested we do. In fact as recently as a week and a half ago I also visited the Hugh MacMillan school in Toronto, which is the largest centre in the province for dealing with kids with developmental problems such as your son.

I would say to you, though, with all respect that we hear a lot of rhetoric about this issue. This bill itself does nothing about cutting further funding. It merely takes out of legislation a number of things that really should be affairs dealt with between the boards and the teachers, yet somehow the province got involved in years gone by and put in limitations on how they could bargain between the two. But I would remind you that the 1.87% that they were cut is it, and for your trustees, for the people who have counselled them to have suggested that special ed is

where the cuts should be made, I think we would all agree is deplorable. It is repugnant.

In Scarborough, I just discovered the other day, they are still keeping on four paid ski trips every year for every student. Not like in the days when you and I went to school, where they post a notice saying a bus is available on Saturday and if you come and pay your \$15 or \$20, you can join up; no, they pay for the bus, they pay for the lunch, they pay for the lift ticket.

I just wonder, in the context of that, whether when you hear what you've heard today about all the things that have been cut yet on the other hand you recognize there are still frills and the teachers won't open up things like sick days and we haven't heard enough about merging services, whether you're convinced that the school boards have gone as far as they can in dealing with frills and saving the dollars where they should be saved, namely, special-ed programs.

**Mrs Methot:** I have to say that with the Catholic board now, I honestly believe they have done as much as they can do. I speak from the fact that the school my son is in, and my daughter as well, doesn't even have a gymnasium. They can't afford to build a gymnasium. These kids have to go outside or they have to once a week maybe get a bus and load them all over to another school. They certainly do not have new desks. The principal doesn't have a new chair or a new desk. They don't have anything like that as far as the school itself goes. The board office as well — I've been in the board office — it's not all fancy with new chairs and new this and new that. They're very conscious of how they spend their money. We do a lot of fund-raising within the school ourselves trying to raise money to give our children a play centre out in the school yard to play on, for goodness' sake.

**Mr Preston:** I want to put a pin in a balloon here. I want you to listen very carefully. Because we're MPPs, we are not all very rich, living a pristine life with perfect children. At any given time in the past 20 years I've had three boys in my home between the ages of 10 and 18 all of whom are on Ritalin, all of whom have ADD. I am very familiar with your problem and your son's problem. We have four boys, but at least three of them at any given time, so you can imagine what our place is like on a Saturday morning. Usually I stay in Toronto.

We are cognizant of your problem. We are not a bunch of men with horns on our heads who hate children. I've got 12 grandchildren, and I want my grandchildren to have the best they can get. So we are cognizant of the problem. If your board has cut special ed, talk to the board. They're wrong. That's the feeling of everybody here. It's not this government's intention to cut special-ed classes.

**Mrs Methot:** I don't believe I had said that you cut special-ed classes, but the cuts that you are making to the education system have to go somewhere. My feeling is, I'm not an informed person, I'm not a government official, I don't read your rule book or whatever you have, all I know is from what I hear from the media, what I hear and what I am told. I'm told that they don't have the money to bring in one more person to help my son. That's what I'm talking about. I don't think you're

a bunch of mean, horned people. I just want you to stop and I want you to think for a moment that, even though you put the ball in the board's court and say, "We're cutting out \$2 million from you. You find out the place to take it from," well, they're trying to take a little bit here and there, but special ed is going to be one of them that has to get it.

It has to come from somewhere, and unfortunately it's going to keep going down the line. It's not only special ed; there are other parts of the schooling. I don't care about anything else right now because special ed's my main pet peeve. But you can't pass the buck off on the board. I'm sorry. I can't accept that. I can't accept that you can cut the money and then pass it on to the board to try and explain to the parents and have them ranting and raving at them.

**Mrs McLeod:** I wondered how long it was going to take before I exploded today, but, Jackie, I think you've just saved me from exploding by the answer you've just given. I get really angry when people sit all day long and don't hear the reality of what people have been saying to them presentation after presentation about the stresses that these cuts have made, and try and suggest that somewhere in here there are mythical savings. Members of the government have spent the day trying to persuade people that there are savings to be found somewhere else, therefore the cuts that are being made, whether it's to junior kindergarten or to adult education or to special education, somehow weren't necessary.

They need to take the blinders off — talk about rhetoric — take the blinders off and realize what those kinds of cuts are doing to education and to kids in classrooms, including kids with special needs. When you suggest that changing the number of sick days is somehow going to prevent cuts to kids in classrooms, you really don't understand how the financing of education works at all.

*Interjections.*

**The Vice-Chair:** Just a minute. Mrs McLeod's got the floor.

**Mrs McLeod:** It makes me absolutely furious. If you want to go back and read the transcripts, if you'd like to have a debate about the fact that reducing the numbers of sick days — and even if your hidden agenda is to get at the retirement gratuity, it will not help one kid in one classroom today. It won't have any financial effect for about 20 years.

I want to tell you that when it comes to special education, not only did I first get into politics because there was no special education in Lakehead schools, and that was almost 30 years ago now, but the director of education who sat here, whom you're saying was wrong if they made any cuts to affect special education, was one of the founders of special education programs in Lakehead schools. There's no lack of commitment to special education here. When I hear two parents come and say that their kids' special education programs are being hurt, it really does make me want to explode, not at the board, as Jackie has said, but at arbitrary cuts that are forcing those kinds of decisions.

**Mr Preston:** If you sit here for one day out of three weeks of meetings, I guess you're entitled to that.



**Mrs McLeod:** I do believe, Mr Chair, that I continue to have the floor.

**The Vice-Chair:** Yes, you do.

**Mrs McLeod:** I think you're saying in both cases that what is happening with the cuts is that there is no longer a flexibility to be able to respond to individual needs of students in a classroom, and somehow that gets lost. When you're forced to look for cuts and just find them where you can, there are things you can do that still maintain, I think Susan said, the legality of Bill 82, which was a Conservative government bill guaranteeing mandatory special education to meet students' needs. Boards legally have to meet that mandate, but there are all kinds of things that you can do to still provide special education in name that isn't responding to the individual needs of your kids.

I'm frustrated and concerned because I see the ball rolling down the hill so fast that I don't know where it's going to stop, and I hear you saying the same thing.

**Mr Gravelle:** Certainly Lyn has spoken eloquently in terms of the frustration I think you feel, especially when you're listening to both Jackie and Susan here today, and obviously I've very glad that you've had the opportunity to express yourself. I think it is only to be hoped that indeed some of what you say in terms of your concerns — I think Jackie responded well in terms of the fact that the boards are not the place to be apportioning the blame, and we hope they listen. It gets a little scary to spend the whole day having all these things coming across the airwaves and still to have responses like those.

I'm grateful you had the opportunity to get on today and I'm glad, Susan, you were able to be here as well. We thank you for being here.

**The Vice-Chair:** Thanks to both of you for very personal representations. It's very encouraging.

**Mrs Methot:** May I say something? I'm really upset right now. I sat back here watching while the other two people were up. Maybe this isn't the time to say this, but I watched these gentlemen. These people were talking. When my page came out I watched everybody start reading this. I watched them talk between themselves. I watched comments being said when Mrs McLeod was speaking, and the little gibes. I'm really appalled that this is how our government works. I don't know if anything I have said or that anybody else has said today has gotten through, or if you have your minds set that you're right and no matter what anybody else says, that's how it's going.

I have never been experienced and exposed to anything to do with the government; I have never been actively involved. I'm really disappointed. When I came out today, I was hoping that at least I would have a sympathetic ear to listen and maybe something would touch home with you. I honestly don't feel like it was. I'm sorry.

**The Vice-Chair:** Thank you very much for your presentation and good luck to both of you.

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#### CONCERNED TAXPAYERS GROUP

**The Vice-Chair:** Next we have Mr Hugh Holmes. Welcome to our hearings. You have 30 minutes, which

includes any comments or questions there may be from the committee members.

**Mr Hugh Holmes:** This may not take quite that long. I'd like to thank the members of the committee for giving me this opportunity to address them on behalf of our Concerned Taxpayers Group. Mr Sinclair forwarded a copy of Bill 34 by Purolator to Shebandowan, but unfortunately it failed to arrive, so I ask you to keep this in mind during this presentation.

He advised that Bill 34 addresses issues like junior kindergarten, adult education, delivery of services, negative-grant boards and payment of sick days to teachers. Certainly all are areas of concern, but I won't comment because I didn't have the information I required. Instead, I'm going to go on the vein of presentations I've made previously, and this is with regard to the cost.

During the past few years, we've made presentations to the Ministry of Education, the Fair Tax Commission, the Royal Commission on Learning and the Lakehead Board of Education, all with little or no apparent impact. It would appear that we finally have a government that recognizes how out of control the education system is, and it's our fervent hope that it will bring sanity back to it. The incredible greed of the boards of education and the mediocrity of their service are things that prompted the formation of taxpayer associations, the Fair Tax Commission and the Royal Commission on Learning.

I'll leave the mediocrity of the service to those more qualified to address it and keep my comments to the cost, which everyone has considerable experience in. For example, during the last two years of constraint, my educational property taxes increased in excess of 13.5% from an already exorbitant level.

The Fair Tax Commission heard loud and clear from the province that the people wanted a stop to the ability of a board of education to levy a property tax, or any tax, for that matter. The boards wanted to keep the status quo. The committee agreed with the people, but I suppose, not wanting to totally quell the boards, suggested funding should come from the province, ideally through income tax, but that they retain the ability to levy a tax of 10% of the provincial allotment for services beyond the provincial standard.

We believe they should have absolutely no ability to levy a tax. The mandate of a board of education should be education and only education. This would force a board of education to live within its budget and impose an accountability that has never been there. Elimination of the taxation function would in itself save a very considerable amount of money.

Serious thought should be given to the elimination of boards of education altogether. They grew into the monsters they are now during the empire-building days of the 1960s and 1970s. Do we really need them? Could they not be replaced by appropriately chosen members from the schools and local community to oversee the delivery of education? This approach has been successful in Great Britain and elsewhere.

If they are not to be eliminated, there must be a drastic reduction in size, each position must be justified, every penny accounted for and made public, with areas of

largess and mismanagement highlighted, and contracts should be such that anyone not capable of producing the quality of service required can be terminated.

A current advertisement on local television has the teachers' association not so subtly suggesting that if there are going to be any cuts to funding of education, the children are going to suffer. The children have been suffering for a long time. They get much less than 20% of the budget now, while the rest goes to salaries and administration. It's time to rein in the sacred cow. Teachers in Ontario are the highest paid in the world, and it's time the reality of constraints and wage rollbacks came into play.

Other areas such as PD days, sabbatical leaves and retired teachers double-dipping by coming back to work for a given number of days must be looked at. The list could go on, but I'm sure the Ministry of Education is well aware of these things, and hopefully this government will do something about them.

**Mr Skarica:** I share your frustration, sir. I wasn't familiar with the education system until recently, and it's disturbing to realize the number of factors as follows, and maybe I could have your comment. We spend close to \$1 billion a year on administration in our various school boards, and then we find out during these hearings that there's a potential \$10-billion unfunded liability for this retirement gratuity, which does not end up benefiting any children at all. We find out from the last ladies that there was a \$200,000 cut to that board. Meanwhile, we find out the Lakehead board spent \$2 million on retirement gratuities, totally unfunded; it came out of operating revenues that didn't go to children and instead went to that unfunded liability. We find out that there's an \$8.1-billion unfunded liability for teachers' pensions, and this year we're paying an extra \$300 million. On and on and on it goes.

It seems to me that what's happened over the last 20 years or so is that there have been massive amounts of money paid to administrators and so on and so forth, and yet at the end of the road what we have we got? We've got billions of dollars of unfunded liabilities in various areas and situations like the last one occur. How do you prevent that? Throwing money does not prevent it, it would appear.

We've just been accused of being insensitive and so on and so forth by Mrs McLeod. We realize the pressures that boards are under, but we're also, as a government, under fiscal pressures ourselves. We gave the Lakehead district Roman Catholic board extra money, as they qualified for an undue burden grant, and then we still hear of these problems arising. What would you suggest we do to make sure these problems don't arise in the future?

**Mr Holmes:** It's a problem that has been made over years and years and years. Like I say, it started back in the 1960s and 1970s as the boards grew and almost every government department grew and grew. As you have seen through many other government departments, there have been cuts, rollbacks, everybody is looking at what they're doing with regard to the service they're providing and who's providing it, how many they need to provide it and so on. This type of thing has to go on, this search, inside

the board itself: Do you need X number of superintendents? Do you need a board at all?

Only government can put this on to the boards, because if it's left to the boards, experience has proven that they'll do absolutely nothing unless they absolutely have to. Our board did nothing until the pressure was put on it recently. I spoke to a trustee last night, and I understand there has been some movement in this board, checking out some ways to cut costs. I have to say that the pressure came from outside, because it certainly didn't come internally. Whether that helps you or answers your question —

**Mr Skarica:** Yes, it does.

**Mr Pettit:** I was just wondering which board. Is it the Thunder Bay board?

**Mr Holmes:** Yes, the Lakehead Board of Education. 1510

**Mr Patten:** First of all, thank you for your presentation, sir. You suggest that perhaps the payment for the school system might be switched from property tax to income tax. What's your analysis of what that would do to your provincial income tax?

**Mr Holmes:** I think it would raise the provincial income tax from what it is now — I mean, you can't just put a tax here — but the decrease in your property tax and the decrease in the cost of education itself by doing away with this particular unit would more than offset the raise in your income tax. Right now, I'd like to ask you what the location and size of my house has to do with the delivery of the service of education. Absolutely nothing. There are people who don't pay anything, outside of a little in their income tax; other people pay two and three times because of property tax. It's definitely not equitable.

It would be far, far better for everybody if it came through income tax, and I believe everybody benefits from education of children, whether you have any or not. They help you as they get older. Everybody then should pay, and that definitely is not the case now, and some people are paying a hell of a lot more than they should.

**Mr Patten:** I'm led to believe that the increase would be somewhere in the neighbourhood of 50% increase in provincial income tax.

**Mr Holmes:** That's possible, but there also might be a good 50% decrease in your property tax, because right now in the city of Thunder Bay, for instance, it costs more to run the board of education than the entire city.

**Mr Patten:** You say that only 20% of the budget goes to the children in the school. How do you arrive at that 20% figure?

**Mr Holmes:** Actually, it's less than 20%. I can't give you the figures right now. I have met very often with previous trustees; I had a breakdown on it at the time, and salaries and administration costs were in excess of 80%. If I can recall right, they said the children, in what they're receiving, supplies and things for them were less than 15%.

**Mr Patten:** So the 20% would not include the teacher?

**Mr Holmes:** No. The salaries are coming in already with the teachers.

**Mr Patten:** I see. The teacher is the most important, it would seem to me.



**Mr Holmes:** Absolutely. I'm definitely not bashing teachers. There are many good teachers around.

**Mr Patten:** Are you advocating or suggesting that instead of school boards, there might be some replacement or a volunteer board or parents' councils replacing school boards?

**Mr Holmes:** Yes. Is the function the school board does now necessary to have that large a unit? It's an area that could be looked at. That's what I'm trying to say.

**Mrs McLeod:** I'm just curious to know whether or not — you don't have to share this information with me if it's confidential — you'd be in a position to be getting a rebate on your property tax on your income tax or whether that rebate is completely disappearing.

**Mr Holmes:** I have never got a rebate on my property tax.

**Mrs McLeod:** There was a system of rebates for property taxpayers — as I say, it may be confidential information; I shouldn't make it personal — where anyone who, for example, was retired or on a fixed income would get a property tax rebate, but it would show on their income tax, so the two things often weren't related. I simply don't know whether that rebate still exists. Mr Wildman may know because he's been at it more recently than I. There was some change in it, I think, a couple of years ago.

One of the frustrations with that is that the relationship was never made for those who, as you say, quite rightly felt that their property tax was too large if they were living on a fixed income, and they were never able to see how the rebate was coming back.

**Mr Wildman:** Thank you for your presentation. I have a couple of questions.

**Mr Skarica:** Mr Wildman, we didn't use up all our time, and one of our members wants to ask a further question.

**Interjection:** No, go ahead.

**Mr Wildman:** You indicated that in your analysis, if the income tax were to fund education — I think that makes sense, frankly — there might be an increase in the income tax but that would be offset by the decrease in property taxes. Is the inverse correct too? If there's a decrease in income tax, will there likely be an increase in property taxes?

**Mr Holmes:** I'm not quite sure in what context you're saying this.

**Mr Wildman:** If the provincial government decreases income taxes and cuts transfers and grants to school boards, the school boards then have to increase property taxes to make up the difference.

**Mr Holmes:** They certainly have the power to do that. We don't know yet whether they will or not; it's up to the school boards. Under the current system that's exactly how it is, but if they were funded through income tax from the provincial government, then they wouldn't be able to increase. They would have to live within a budget.

**Mr Wildman:** Okay. I am wondering if you were here during the previous presentation by the two parents.

**Mr Holmes:** No, just part of it.

**Mr Wildman:** They were — one from the public system and one from the separate system — parents of

kids with special needs — different types of special needs, but special needs — and they felt that the cuts in education funding were resulting in a significantly adverse effect on their kids' education. I'm wondering if you think that's a wise thing to happen in terms of your comments about the need for us to educate all the kids in a community.

**Mr Holmes:** I don't know what proportion of funding now goes for children with special needs. It has to come within that 15% or 20% that is there now. The cuts that are to be made should be within the 80%, not the 20%, so I can't see why they should be cutting it. They can, but I don't see why they should.

**Mr Wildman:** I have a problem with your 15% or 20% as opposed to 80%, since about 60% to 70% of all school board expenditures is teachers' salaries. The teachers go to the kids too. When you say the funding is for teachers, not for kids, I have some problem with that, that only 15% of the education expenditures is for kids.

**Mr Holmes:** When I'm saying salaries, I'm not also saying just teachers' salaries, but salaries all across the board — all the superintendents and you go on through there. When teachers negotiate their wage contracts, there's certainly no reason for a board to oppose it, because just by nature of the contracts, as soon as the teachers get a wage theirs goes up percentage-wise in accordance with that, so it keeps going higher.

**Mr Wildman:** Do you think boards and teachers should negotiate issues like class size?

**Mr Holmes:** I sent a copy of an article that was in the Chronicle-Journal by trustee Paul Kennedy to Minister Snobelen's office. It's a pity I don't have it here, because it was an extremely well-written one. It addresses part of this. If they still have this there, it would be a good idea to look it up, because he has been with the board for a number of years. An extremely frustrated member of the board, he wrote this article and wrote it exactly as it was. I think it would be well worth reading. He could certainly be far more eloquent and be able to express it much better than I.

**Mr Newman:** One quick question: In looking for savings within education, if you could implement one measure, what one measure would you implement to find savings in education?

**Mr Holmes:** There are so many, it's going to be hard to say one.

**Mr Newman:** Well, name them all. What would be the number one priority?

**Mr Holmes:** I'd like to do more than one, if I could.

**Mr Newman:** You're free to answer that.

**Mr Holmes:** Okay. One is salaries and the other is all the perks within the board, like the expense accounts, the use of vehicles. If they have a vehicle, for instance, does that vehicle sit at the board or do they run home with it and use it as a personal vehicle? These are things that should be looked at to cut costs. Those are some that would probably take a fair bit of cost out. The gentleman was speaking about the cost of some of these things that have gone on — the retirement parties, the wrist-watches that have been given away. We're talking thousands of dollars here that just comes out of this revenue.

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**Mr Newman:** When you mentioned salaries, what specifically would you do with respect to salaries?

**Mr Holmes:** We have a number of superintendents making in excess of \$100,000 a year; there are 50 in excess of \$80,000. Those are pretty fair salaries, especially in these days of constraints. I'd love to be in that bracket. Others are not all that far behind.

**The Vice-Chair:** Thank you very much, Mr Holmes, for a very interesting presentation.

#### PROSPECT SCHOOL PARENTS' ASSOCIATION

**The Vice-Chair:** Our last presenters for today are the Prospect School Parents' Association. Welcome to our hearings.

**Ms Anne McCourt:** I'm Anne McCourt. This is Anthea Kyle on my left, Mariana Maguire on my far left and Gary McMahon on my right. We represent the parents' association at Prospect Avenue Public School in Thunder Bay, where our children all go to school. We're happy to be here today not least because we understand we're the only parents' group that's presenting to you. As partners in the education system, we think it's really important that you hear our point of view.

Before Anthea begins our presentation, I'd like to make one thing clear: We're here to talk to you about how cuts to the education budget are affecting our school community at Prospect school. You will have heard from and will continue to hear from many school boards and province-wide organizations as well as from individuals, but what we want to focus on is a single school, our school, because the school where our kids go every day is what this is all about. I think that's true for every school and every child in the province. I'll turn it over to Anthea now.

**Mrs Anthea Kyle:** I have three points to make: My task is to give some background on the school and to tell you why Prospect school is important in the neighbourhood it's in. Finally, I'd just like to outline why I think we're here today.

Prospect school is an old school. It was built in 1912, which by Thunder Bay standards is practically an antique building. It's in a neighbourhood which in 1912 would have been like a suburb; it would have been on the outer edge of what was then called Port Arthur.

The school itself is still in a residential neighbourhood, there's very little commercial development and the neighbourhood is now ringed by busy streets. It's become a neighbourhood that's a little bit — I won't say isolated, but it's not suburban any more. It's considered an older residential neighbourhood.

The neighbourhood itself is an interesting socioeconomic and ethnic mix, which again is unusual in Thunder Bay. Neighbourhoods here tend to be organized by economic lines more than the sort of mixtures you might get in a larger urban area.

There's virtually no busing to Prospect school. It's a smaller school. Their enrolment runs between about 230 and 240 students. There's one class of each grade. There is a lot of parent involvement in the school because it's in a largely residential neighbourhood. There's not only

the usual sort of fund-raising and field trip accompaniment, but Prospect also has a number of parents who volunteer in the classrooms on a regular basis. They do everything from, say, assisting teachers with intellectual development of children to athletics, to artistic and creative pursuits.

I've been involved with Prospect school for a long time. My oldest child began there in 1987, so I've been an active parent since then. One thing that Prospect is known for in the community is an annual spring tea that we hold. I was one of the first parents to begin the tea when it started a theme. We've been inviting people from the community. Now other schools are approaching us about that one fund-raising event. The tea's not so much important for the fund-raising, obviously, but it's important because it's a community event. The neighbourhood itself has retired people whose children have returned to the neighbourhood to raise their children. When you walk into Prospect School, if you go down the first-floor hallway you'll see the list of names of men and women who fought and died during the First World War and the Second World War, so it's a school that has a real history in the community.

They've done some innovative things with Prospect school. The property itself takes up a city block, and although the school doesn't take up a city block, there's a huge field; there have been tennis courts put in. The Lakehead board shares the property with the city. In the summer they run an outdoor summer program. It's a real hub in the neighbourhood itself. It's a place where kids go to school during the day; it's a place where kids go and play basketball at night. It's an important part of our neighbourhood. Of course we're worried that with funding cuts small neighbourhood schools are easy to cut loose, and we don't want that to happen to Prospect.

We're here today because we want to talk to you about what we think cuts might do to our school, what we think cuts might do to our students, and to remind all of us that really we're always talking one school, one classroom, one teacher, one child. That's how most of us feel, and that's the beginning and the end of the educational process. The bureaucracy aside, we're talking development of individuals as well. I'm sure you've heard that today.

Prospect school got its name because it's actually beside tailings of an old mine. I don't know if you know that there's silver in this area, and silver was mined in the 1890s in the area. The hill beside Prospect school is a popular tobogganing spot. When you go there in the winter and you stand on the top of the hill, you look out and you have a wonderful view of the harbour and the landmark the Sleeping Giant. I feel strongly that I want our kids to stay on the top of the hill and be able to see out and see that beautiful vista and keep the prospect. I don't want them to see the view from the bottom of the hill; I want them to be on the top.

**Ms McCourt:** I'd like to talk now specifically about the impact on Prospect school of cuts to the education budget. According to the figures we received from the Lakehead board, 94.5% of the total budget goes to the instructional block, which is teaching and classroom support. First of all, we want to say that the government



cannot make cuts of this magnitude without affecting what goes on in the classroom; it can't be done.

We looked at how the current round of cuts has already affected Prospect and what its impact will be in the school in the coming year, which is 1996-97. Class sizes from grade 1 to grade 8 now average 22 children, which is a wonderful and unusually low teacher-student ratio; we've appreciated it while we've had it. In September, grades 3 to 8 are going to average 31 children per class; that's an increase of 41%. All of us have worked, as Anthea said, as parent-helpers in the school in a variety of activities and we know that in spite of the confidence we have in the teachers at Prospect, this kind of increase in the student-teacher ratio seriously threatens the quality of education.

At Prospect we now have 14 teachers, including the principal and vice-principal. This coming September we will have 11, with no significant decrease in enrolment. We started this school year with one and a half special-ed support positions. This has already been reduced by half, and will likely be reduced again in September, and this is at a school that serves about 15 children identified with special needs.

We started the school year with three and a half hours a day of school assistant time, and this has already been reduced to two hours a day. The teacher-librarian position will be eliminated as of September 1997. What goes on in the classroom is obviously of primary concern to us, but staffing cuts affect more than classroom ratios. They also affect yard duty, lunchtime supervision, extra-curricular activities that enrich our children's education — things like sports, charity fund-raising events like readathons and Jump Rope for Heart, public speaking, choir, student council, student newspaper — the list goes on.

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Our school's operating budget has been reduced by 20%, and it was small to start with. This means a one fifth reduction in money for classroom supplies, library books, textbooks, art supplies, science equipment, math equipment, sports equipment, computers, calculators, furniture, paper, pencils and chalk, as well as the teachers' professional development budget and the school office budget, which covers phone, fax, photocopier and so on.

Junior kindergarten, as we know, will continue to be offered by the Lakehead board, but in order to do it as economically as possible, we're going to have children going to junior kindergarten and senior kindergarten on alternate days for a full day. We haven't talked to any parents or teachers who think a full day of school with an hour and a half lunch break in the middle is a good idea for a four-year-old, and I'm glad my kids are older than that now.

There will be a big reduction in the system's sports budget, which means kids will have fewer opportunities to participate in excellent system-wide events like track and field, three-pitch, wrestling and soccer, or else these activities will be available only to children whose families can afford to pay.

As a result of board-wide cuts over the past few years, elementary family studies, industrial arts and instrumental

music have already been eliminated. Overall, in the next school year, there's going to be far less direct service to children. Mariana will be speaking to how the cuts will affect children with special needs and how that in turn will have a negative impact on teachers and all the children in the classroom.

Finally, to reiterate what Anthea just said, as a direct result of the provincial education cuts, the Lakehead board has turned to school closings and amalgamations. This year, four schools have been closed and three others amalgamated, and our board assures us that this is just the first round. Our school is one of several now being studied for closure. As parents and community members, we're deeply concerned about the damage that closing Prospect School would do to our children, our education system and our community.

**Ms Mariana Maguire:** I would also like to address the budget cuts to education and the impact these cuts will have on our children in the classroom, specifically children with learning disabilities, behavioural problems and special needs.

I realize that many of these changes are being made at a local level, but they are in direct response to the cuts made by the provincial government. I will begin by sharing stories of two children at Prospect School and then I'll go on to outline how these budget cuts affect special education and other programs presently managed by the Lakehead board and used at Prospect School.

Isaac is seven and a half years old and in grade 2 at Prospect School. My son was identified at the age of three and a half as having speech difficulties and possible developmental problems. This identification was as a direct result of the preschool screening process conducted by the Thunder Bay district health unit in conjunction with the Lakehead Board of Education.

He was referred to a speech pathologist and occupational therapist for developmental testing. It took one and a half years to reach the top of the list with a local agency. Isaac was diagnosed with delayed language development and articulation difficulties and began therapy at the age of five with this agency. The developmental assessment was referred for further attention but never followed up.

When he entered school full-time, he was seen twice a week at Prospect School with a minimum disruption to his schooling. He was discharged in April of this year and continues with a special daily reading program. The success he has achieved in this program was due to hard work on his part, but also because of early identification and intervention. The preschool screening program with the district health unit has been cut back and no other early identification program has replaced it.

I would like to contrast my son's story with a story about a little girl, Charlene. Charlene is six and a half and is in SK at Prospect. Laura, her mother, has given me permission to present her daughter's story. Charlene did not have the benefit of a preschool screening due to the cutting of this program. Her mother decided to hold her back one year before entering JK. She was referred by her family doctor for assessment. She was identified as being developmentally delayed, but a full program was never implemented for her. Somehow she fell through the

cracks and is only now being attended to. With pressure from the parents, she is currently in the process of IPRC testing, which shouldn't have happened until next year, and is waiting for identification.

It has been suggested to the mother that she place this little girl in another school with a program for children with special needs so that she has access to all resources and support staff that will not be available next year at Prospect School. Many children in this class are severely physically and/or developmentally handicapped. This little girl is high-functioning and will not thrive in this atmosphere. The alternative is to keep her at Prospect with her siblings and for the parents to pay for the necessary resources.

Early identification of and program implementation for children with special needs and learning disabilities is important in ensuring an optimum outcome. Treating these children holistically in their school environment ensures the best education possible.

In the area of support services, the Lakehead Board of Education currently has one overall system support team and four area support teams. Each of these teams consists of a programmer-assessor, one speech-language teacher and one curriculum adviser. These individuals currently provide direct services to students in schools within their area. This provides consistency with a minimum disruption to school routines.

Next year the four area support teams will be replaced by one system support team that will act as facilitators and not provide direct social services in the same manner. Many of these programs are being referred to social service agencies and the health care system, and many of these agencies are also cutting programs because of provincial cuts and cannot provide these services within our schools with the same quality.

Prospect School has already lost support staff in the area of special ed. Next year there is a further proposal to cut all assessed positions and to replace certs with special-ed facilitators. These serfs, I like to call them, will not provide direct services either but will be responsible for setting up programs to be carried out with classroom teachers. Other programs, such as speech, will be given to classroom teachers to implement. There will be no support staff to assist with behavioural problems in the classroom. The burden is to be placed on classroom teachers with little or no special ed training and reduced support at a time when class sizes are increasing. This will not only impact on children with special needs; it will certainly affect the quality of education for all our children.

Last, we would like to address the topic of community schools and the issue of school closures to reduce spending.

We live in a downtown neighbourhood, one of the first developed in Thunder Bay. We have a diverse population, with kids at risk at one end of the spectrum and kids who are privileged at the other. We all look out for each other and our children. We have a high ratio of parent helpers in our school who enrich the lives of all students by offering everything from reading programs, music, art workshops and extracurricular sports to spring teas and

fund-raising. This involvement enhances the quality of education in our community.

We feel it is important to maintain as many community schools as possible. If you take these 250 kids, put them on buses and send them all over hell's half-acre, there will be a high price to be paid in this community and by society as a whole.

These budget cuts cannot possibly be made without affecting the quality of education in our classrooms, and we do not wish to sacrifice the future of our children for this government's economic ideology.

**Mr Patten:** Thank you very much for your presentation. You graphically illustrate the pressures and the challenges facing you and your children and your school board. I must point out, though, that the chairman of your board was quite supportive of this legislation and thought this was a good thing for school boards and would be helpful and useful in performing their job, so it is interesting to hear what happens at school level from a parent's point of view and from the child's point of view, particularly when I look at some of your statistics, which truly are astounding. Class sizes in grades 3 to 8 will increase by 41%. Is that this year and next year?

**Ms McCourt:** That's as of September. That's going from right now into September. We should point out that those class sizes are lower than our board average. We're very grateful for the fact that we've had these terrific teacher-student ratios for a while. However, just because we appreciate how unusual they are doesn't mean we don't think they're our right. That's the way to run a classroom, and that's especially the way to run an integrated classroom with special-needs children. You can't do both. You can't have an integrated classroom and high ratios.

I would like to say also, in response to what you said about our differing from our board, whether we agree or disagree with how our board administers its budget — and I would say there's a whole range of reactions to that; we're not adversaries with our board — the fact is that the province isn't giving them enough money to do what needs to be done in the classroom. How they administer it is a separate issue for us.

1540

**Mr Patten:** To quote from the paper, it says, "Generally speaking, Bill 34 amendments to the Education Act should help school boards to do their job better." I think what you're saying is that the impact of Bill 34, which is the removal of these resources, in your opinion is lessening the capacity of the school to do its job in terms of the needs, as you see them, for your children. In that sense, I think that's important.

I support that while your personal situation is unique, this dynamic also is happening in other school boards as well. Inevitably what happens is that the most vulnerable students, the most vulnerable programs, are those that require the most intensive care and the greatest sensitivity and the greatest degree of expertise in helping youngsters to work through their program. This aspect is a great worry for many, many parents.

I was tempted to say that the prospect for Prospect school is not too bright. You're saying that it seems the existence of the school itself is perhaps in jeopardy. This



is only round one. When you look to 1997-98, when the full brunt of money will be from operations — this year much of that \$400 million, \$231 million of it, was made up on a freeze of capital, which mitigated somewhat the impact on direct school operations. You can imagine what it's going to do when that translates into \$800 million and becomes totally operations. This will look like a very minor series of cuts. What's your reaction to that?

**Mr Gary McMahon:** I'm not a very good speaker. I don't do this often, but if I can say something, the only statistic I can recall right now is that one sixth of the population of the United States eats at McDonald's. That's the only stat I can come up with.

But to me, you're cutting the model. Prospect is the model of what education should be. It's a small school. All the kids have an identity. The kids who are better off mix it up with the kids who are from lower incomes. I always tell my kids, "Now, you make friends with somebody who has money."

In a large school, kids lose their identity and you don't get this mix of income. In the States they're finding these big schools are counterproductive; it's not good. There are some rough things happening in schools now in Vancouver and in any big city in the States. Violence is becoming a factor. My wife has seen drug deals going on close to Prospect.

But in a small community, small school, you know everybody. You know who the troublemakers are and you can better keep a handle on it. If you cut schools like this, you're going to leave a big hole in the neighbourhood, and it's not a good thing. We should be making smaller schools instead of larger schools.

**Mr Gravelle:** Indeed Prospect is a model school, and the important thing about having the parents' association here — it happens to be the school in my neighbourhood where I live as well, and I was at the —

**The Vice-Chair:** Are you a grad?

**Mr Gravelle:** No, I'm not a grad. I wish I had been. It's a wonderful place. I was at the tea —

**Mr Preston:** If you'd stayed longer —

**Mr Gravelle:** I did graduate. I think it's important for people to realize, and the battle we're fighting in essence is to try and convince the members of the government that further cuts are going to be an even greater disaster when we think in terms of what it will mean if Prospect does close, in terms of the community involvement and the parent involvement. I know your involvement in the school is extraordinary and that you're committed to it. All the things that have been said, just now by Gary as well, in terms of being able to be on the spot and to be real partners in the education process, would be lost. I thank you.

**Mr Wildman:** I really appreciate your presentation. It's important that the committee hear from parents who have a direct interest in the education of their kids and in their community school. We've had a lot of presentations from boards and from federations and so on and not as many from parents, so I really appreciate the opportunity to hear you.

Could you give me an answer to two questions? The first is, has the board actively considered the closure of

Prospect, because of budget cuts, because it's a small school?

**Mrs Kyle:** Prospect was looked at for closure in 1983. The principal at the time did some creative arrangements with the city to bring the city on to use of the property. At the time he recommended that the board in fact enhance Prospect because it's a strictly residential neighbourhood that will always have a student population. The board at the time didn't do it, for whatever reason. We've gotten unofficial word that they will look at Prospect next year for closure. That process takes a year, and we're just starting now.

**Mr Wildman:** I appreciate very much your comment that there are two issues here. There's what the board does and how you respond to that, and there's the funding from the province and how that affects the board's overall budget and so on. I'd like to deal with the second part now.

You've seen class sizes increase substantially, albeit from much lower levels to higher ones, and the effect that's having on integrated classes and special-needs kids, which you highlighted. If you have larger classes, what is the effect not so much on the special-needs kids — some of whom, I'm afraid, as you pointed out, may be removed, but if they remain in the classroom, what is the effect on the other kids and their opportunities to interact with the special-needs children and their ability to get the kind of service and help they need from the teacher?

**Ms Maguire:** As to the effect on the children, I think it's good to have children integrated into programs, but if you put increased demands on the teachers, then the children without special needs are not going to get the same amount of attention and the quality of their education is going to change, definitely.

**Mr Wildman:** This morning the chair of the board, in answer to one question, said that most of the money spent by the board is spent in contracts, meaning teachers' salaries — and we all recognize that's the case — so if there are to be savings they are to be saved in terms of the contracts, either by lowering the salaries, I guess, or lowering the number of teachers. I suspect that's one reason you're getting higher class sizes, that there are fewer teachers. How does that affect this government's commitment that its cuts will not affect the classroom, that classroom education will be exempt?

**Ms McCourt:** As we said at the beginning, it's quite obvious that the classroom is not exempt, it can't be exempt. If we're making cuts to teachers, increasing class sizes and decreasing programs for children, the classroom is not exempt. We're taking that as a given.

**Mr Skarica:** Thank you very much for your presentation. I have a couple of questions to ask you.

I went over with representatives of the Lakehead Board of Education their financial documents and their budget. Last year, 1995, expenditures were \$126 million, and this year they're reducing their total operating expenditures by \$6.4 million, which exceeds the reduction by the province by \$2.4 million. Our reduction was in the approximately \$4-million range. Apparently they're going to decrease property taxes by almost 1%, and I guess that's how the other \$2.4 million is being saved.

My first observation is that they have cut even more from their budget than what we've cut them. What troubles me about what you've told me — I have to admit, I'm quite troubled by the fact that class sizes have increased from grades 3 to 8 by 41%, but I don't understand the mathematics; maybe this is the failure of the school system I went to. Basically \$6.4 million is a 5% to 6% cut of \$126 million. How does 5% translate into a 41% increase in class size? I don't understand how that works.

**Ms McCourt:** I'm sorry, I don't understand it either. 1550

**Mr Skarica:** No, seriously. How does that work?

**Ms McCourt:** I'm not being facetious.

**Mr Skarica:** Neither am I.

**Ms McCourt:** I know you're not. I went to our principal and asked her what our staffing situation was for next year, and this is what I've got; this is what the board has given her. I can only assume that cuts aren't being made in other areas and that there are bigger cuts being made here. Can anyone else help me on this?

**Mr Jim Brown (Scarborough West):** What's the class size now?

**Ms McCourt:** Right now at our school the average class size is 22. I have a kid in grade 3 and one in grade 8, and they're in classes of 21 each.

**Mr Preston:** What's the new one going to be?

**Ms McCourt:** The new one is going to be an average of 31.

**Mr Skarica:** If I could finish, another thing that troubles me is that \$2 million, apparently, was spent this year for that retirement gratuity that goes to teachers; it's an average of \$32,000 for every teacher who retires. Not a cent of that helps your children. For years, that board, along with all the others, knew they had these payouts, and the trustees apparently have done nothing. There's no reserve, so from now on for I don't know how long — 20 years, Mrs McLeod said — there's going to be \$2 million or \$3 million a year, unfunded, paid out. That affects your children. That disturbs me. How did that happen? Who's responsible for this? That's money coming out of your kids' education.

**Ms McCourt:** This group is not here today to discuss issues with our school board, so I think we have to set that aside. That's an issue for you and the school board and for us and the school board, but they're not here right now.

**Mr Skarica:** But that's reality. Basically, they're spending that \$2 million.

**Mr Jim Brown:** What would happen if the school board allowed you to use the school and we gave \$5,500 or \$6,000 a student to you guys? Could you make it work?

**Ms McCourt:** A charter school or whatever it is? It goes by a lot of names.

**Mr Jim Brown:** Could you make it work?

**Ms McCourt:** A lot of us have talked about it.

**Mr Jim Brown:** Do you know where you'd save the money and achieve efficiencies?

**Mrs Kyle:** We haven't worked it out to that level.

**Ms McCourt:** We haven't struck a budget yet, no.

**Mr Jim Brown:** But you'd be interested in looking at it?

**Ms McCourt:** Yes.

**The Vice-Chair:** Thank you very much.

## NIPIGON-RED ROCK BOARD OF EDUCATION

**The Vice-Chair:** Before closing, the chair of the Nipigon-Red Rock Board of Education is here. She's been here the whole day, and she wants to make a presentation. We have eight minutes left. I need unanimous consent. Is it agreed? Okay, ma'am, maybe you could identify yourself.

**Mrs Betty Chambers:** I am Betty Chambers. I am chair of the Nipigon-Red Rock Board of Education. I will take about two minutes of your time. The problem I have is with the process by which you people conduct yourselves, how this whole hearing was conducted. I am one chair of approximately 30 small boards in northern Ontario. I find myself totally alone here today, which came to me as a surprise. This whole thing came to me from the news media yesterday morning when I heard a news clip. When I phoned my director, he didn't know what I was talking about. In a democratic society and with the fact that we have link-ups with fax machines, this is an unforgivable situation. The whole of north-western Ontario has not been heard at this hearing other than the two Lakehead boards. Those boards, to the small boards, are like the Lakehead board to the Toronto board. You have totally not heard the voice of the north, once again.

We sat with Mr Snobelen here a while ago as chairs of the northern boards and tried to express the uniqueness of northern Ontario. You people, whatever your process was, have blown it, because you did not hear. You do not bring people from Kenora or from Manitouwadge or Geraldton, with a day's notice, to a hearing. I have not come prepared with anything at all other than the fact that the Lakehead board and its presentation today does not represent the feelings of the small boards in northern Ontario. I thank you for giving me two minutes, and I hope you will take that back to whoever comes again to the north to hear us.

**The Vice-Chair:** We have two minutes per caucus, and Mr Preston wants to say something.

**Mr Preston:** Mr Patten and I discussed this very matter. I brought the matter up at one of our other meetings in another town. The process is flawed so terribly you would not believe it. But unfortunately what happens is that associations or agencies or what have you hear in Toronto that we're going to do this, probably before we do. Two of them made a fax blitz and said, "Bang," to every one of their affiliates, "this is happening." From the looks of some of the stuff here, they also faxed out the material, because we've heard the same thing over and over and over again. One lady followed us from town to town to town after she had given her presentation in Toronto and gave the same presentation over and over again in each town we were at. That precludes the people we should be speaking to: the parents. We had to fight to get a gentleman on yesterday who represented 30,000 parents, and we only got that on because one of the other guys split his time with him.



The system is flawed. I think this committee is going to look into — other than what we're looking into here — a way to change that, because special-interest groups are crowding you out. That's the bottom line.

**The Vice-Chair:** Any other comments, in 30 seconds, from the government side?

**Mr Skarica:** That pretty well summed it up.

**Mr Patten:** I appreciate your comments. We talked a little earlier, and I obviously agree. We had identified the problem a little earlier as well.

I would ask the committee to give some direction to the subcommittee to examine this in the interest of balance, in the interest of truly fair representation that affects all the stakeholders, not just the federations, not just the boards, but parent groups, and we haven't heard from students, for example, — this kind of thing. If the committee will provide that direction that we address this, we'd be very happy to do so.

**Mrs McLeod:** I would just hope that as part of addressing it, the committee would invite at least written submissions from area boards that were not aware that the committee hearings were being held.

**Mr Wildman:** This may surprise Mr Preston, but I agree partially with what he said.

**Mr Preston:** I agreed with you twice last week.

**Mr Wildman:** I also agree with what Mrs McLeod has said. Obviously, all groups that were interested can make written submissions, but it is better to be able to give an oral presentation.

Having said that, I want everyone to be clear that the reason we only have four days outside of Toronto is because the government took the position that it wanted the legislation passed by the end of May, and that meant there was only one week available for hearings outside of Toronto. That meant only four communities for one day each. The House leaders agreed on that with the government House leader, and as a result, we have four days

outside of Toronto for hearings. Even if what Mr Preston calls special-interest groups — he means the federations and the board organizations — hadn't faxed out to get their affiliates to get in line to make presentations in each of the communities, we still wouldn't have had time to hear properly all the interested groups.

**Mr Preston:** No, we would have heard 64 instead of 32.

**Mr Wildman:** I would hope in future, when we're going to see major changes in terms of \$1 billion being taken out of education in one year in a piece of legislation like this, that we have adequate time for hearings, not four days, outside of Toronto.

**Mr Preston:** Mr Wildman, I was trying to do this in a non-partisan way so we could do it properly rather than fight about it.

**Mrs Chambers:** Just a final comment. The boards of the north have always been able to work very cooperatively and we could have made one terrific joint effort before you today. It's unfortunate, but now you will have to listen to us 23 or 25 times, because I'm going to go home and lobby every board to write to every one of you.

**The Vice-Chair:** It's my understanding from the clerk that advertisements were placed in the centres we visited. I know that doesn't help you where you're from, obviously, and I think there's widespread recognition of all the members of this committee, in some of the private discussions as well, that there's something wrong with this process. Hopefully that will be improved in the future. I do appreciate your comments and I'm sure they will be taken to heart.

**Mrs Chambers:** Thank you very much.

**The Vice-Chair:** With that, these hearings are adjourned until 9 o'clock tomorrow morning in Sault Ste Marie.

*The committee adjourned at 1559.*





## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

**Chair / Président:** Patten, Richard (Ottawa Centre / -Centre L)

**Vice-Chair / Vice-Président:** Gerretsen, John (Kingston and The Islands / Kingston et Les Îles L)

Agostino, Dominic (Hamilton East / -Est L)

Ecker, Janet (Durham West / -Ouest PC)

\*Gerretsen, John (Kingston and The Islands / Kingston et Les Îles L)

\*Gravelle, Michael (Port Arthur L)

Johns, Helen (Huron PC)

Jordan, Leo (Lanark-Renfrew PC)

Laughren, Floyd (Nickel Belt ND)

Munro, Julia (Durham-York PC)

\*Newman, Dan (Scarborough Centre / -Centre PC)

\*Patten, Richard (Ottawa Centre / -Centre L)

\*Pettit, Trevor (Hamilton Mountain PC)

Preston, Peter L. (Brant-Haldimand PC)

Smith, Bruce (Middlesex PC)

\*Wildman, Bud (Algoma ND)

*\*In attendance / présents*

### **Substitutions present / Membres remplaçants présents:**

McLeod, Lyn (Leader of the Opposition / chef de l'opposition L) for Mr Agostino

Brown, Jim (Scarborough West / -Ouest PC) for Mrs Ecker

Grimmett, Bill (Muskoka-Georgian Bay / Muskoka-Baie-Georgienne PC) for Mrs Johns

Skarica, Toni (Wentworth North / -Nord PC) for Mr Jordan

Gilchrist, Steve (Scarborough East / -Est PC) for Mrs Munro

**Clerk / Greffière:** Lynn Mellor

**Staff / Personnel:** Ted Glenn, research officer, Legislative Research Service

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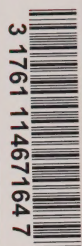












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